



TOBY COMPETITIONS

No. 199 'Neath the Silvery . . .

THE American Association for the Advancement of Science is worried about what planet we'll turn to for love songs when the moon becomes just a rocket base. Write a love song around the planet of your choice, to any stated tune. Limit, 15 lines.

A prize of five guineas is offered for the winning entry, and one-guinea book tokens for each of the others printed. Address entries to Toby Competition No. 199, *Punch*, 10 Bouvierie Street, London, EC4, to arrive by first post Wednesday, December 29.

Report on Competition No. 196

(Expose)

Competitors were asked to devise extracts, along the lines of the Penkovsky Papers, from the papers of spies operating in Bechuanaland, Peru, Upper Volta, Cocos Island or Great Britain. South America proved the most popular, probably because it sounds a warm, exotic place to spy in, but all countries were allotted their crack agents who were given some imaginative and amusing stories to tell. The winner is **Peter Gould**.

. . . only extant fragment from Com. N——v:

. . . removed my blindfold, I saw, in the torchlight, that my captors were two brown-toothed peasants who stank of the cocaine sold in Lima's market-place. Incan carvings and obsidian axe-blades were strewn about. Suddenly there appeared under the lintel an unforgettable apparition—a beautiful Indian woman, sensual black eyes, her two firm pechos thrusting against her blouse. "Comrade," she said, speaking perfect Russian, "what is it worth to your government to know how the statues arose on Easter Island?" That was it! I followed her into a dim cubicle, dizzy with cocoa fumes, feeling fame near, and pleasure nearer. I saw hieroglyphic stelae, skins, maps; she closed the door, leaned towards me and, looking into my eyes, said . . .

The runners-up were:

Two of the ostrich eggs contained water, but the third held a tiny map of Tsetse's kraal. I left them in the desert at the appointed water-hole and, on the way back, met the messenger. I gave the password: "Vlei." He muttered something like "Beyond the termites" and said his name was Butumli. I rode back troubled in mind. He seemed too self-confident for an African and soon my fears were strengthened. Van der

Plonk reported he could not find the egg. He thought a well-meaning ostrich had buried it, but I knew it was on its way to Pekin or Moscow or even London.

— D. HAWSON

. . . happiest days of mine career. I had perfect Oxford accent and could switch to Yorkshire.

If the tykes think they did not indulge in careless talk ask how that lone raider picked out the Majestic at Harrogate at lunch time on that particular day.

In London; when they were searching bombed buildings I would stroll up, park brolly and bowler on any odd bit of debris and "muck in regardless." I got the gen.

And their humour! I was taking a lunch-time drink in Pontefract when the frogs croaked. The barmaid couldn't contain herself—"What do you think lad, Froggyland has packed in. We're in the final now, and on our own muck heap. Sup up and I'll buy you one."

England, to you I raise mine bock.

— T. J. ASPLEY

Deadline: Cocos Island

The voyage from Nancowry was uneventful, my cover as a peripatetic Evangelist being as inscrutable as the Pentagon had predicted.

Booked in at the Cocos Hilton as arranged, where Kava Dan (FBI, class of '48) contacted me in his role as drunken beach-combing bum. His information electrified me.

Just two weeks earlier, a commie herring-drifter, en route for Hawaii, had put into Port Chatterley. "Engine trouble" had been their excuse—but the captain was whistling

"Dixie" . . . And several bales of grey barathea were loaded—cloth destined for the Fiftieth State!

The pieces fell into place.

I had uncovered the beginnings of a new Soviet plot, a commie-inspired Confederate Army was being equipped. Hawaii was about to secede!

— J. B. BLACKLOCK

I'd to meet Mr. N in the Plaza San Martin. To make him inconspicuous he'd be wearing a poncho, but I'd recognise him by a special shrug.

I fingered my poisoned arrow wondering if he'd come.

He did. Among all the passing shruggers he was the only one in a poncho.

"Come with me," he said. "The secret of the country's wealth is in the islands." I thought of the island where the political prisoners were once kept and wondered if he was double fi-ing me. Should I use the blower?

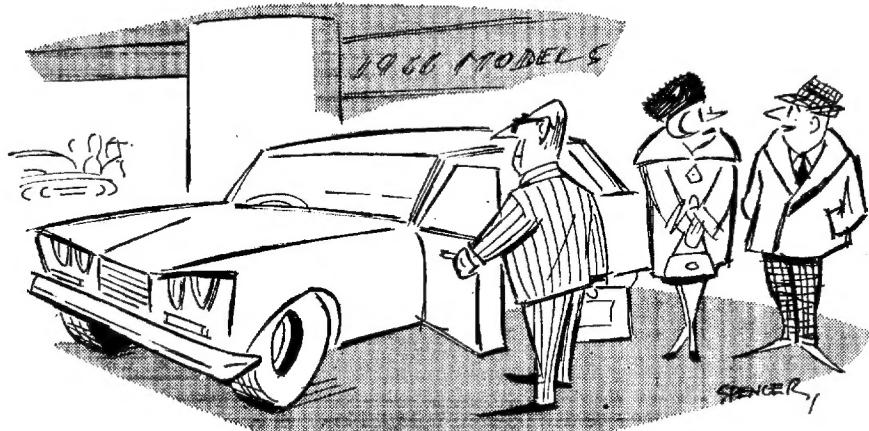
I didn't. We went.

The guano was a decaying trade. "The others" had won. They were catching the fish that fed the birds that made the guano.

— R. FRASER

Now it can be told—how moi, Aristide Mdingbat, arch-spy of the Haute-Volta, actuated throughout by the highest motives (five billion kowrie-kopecks), convinced the forces of reaction I was working for them, when all the time I was really working for them; kidnapped cassava-king, Toussanit La Rochefoucauld Nokoko; stole the Juju Blueprint by short-circuiting the high-voltage security-crocs; passed false information to Dahomey double-agent Zéro Zéro Sept in a packet of synthetic Senegalese senna-pods; blackmailed half-caste agent-provocateur Fifi St. Fayrien into revealing vital statistics; and finally, after a show-trial in Ouagadougou, received from our revered Leader the Order of Mumbojumbo, Second Class, and a one-way canoe-ticket to Togo.

— D. C. F. EDGINTON



"No, you ask him about seat belts—that sort of thing sounds better, coming from a woman . . ."

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Private Eye

by STELLA CORSO

"Eyes are the giveaway"—headline in the *Observer*

BUT then, when were they ever anything else? These movable marbles, ever the concern of poets, the test of painters, the delight of physiognomists were always the *enfants terribles* of the face, the irrepressibles.

The mouth, slit or letter-box, Kewpie or bee-stung could always with the help of brother chin be made to play a part. A versatile actor, it could arc in tenderness, curl in benevolence, firm in resolution and lie and lie and lie. But the eyes, never.

With our eyes we first make contact with other eyes, drawn as powerfully as the very young infant who selects this feature first from the overhanging dial that is his mother's face. In eyes we seek reassurance or confirmation, match up the verdict that comes from the mouth, find repulsion or fascination, but are always back on target, homing in on a word.

For our part we endure eyes that bore like woodpeckers or importune like blue-bottles; eyes glazed with lies, hardened with suspicion, dulled by scepticism, radiant with emotion, limpid with innocence. We flash orbs on others, sometimes ringing down the safety-curtain a split second too late and letting out shafts of truth. Those of us who have trouble dissembling our thoughts are forced to study our toecaps and get a reputation for shiftiness. Some find that the eyes say one thing and the maddening flush another. Only the practised liar up to now was able to stare and stare and be a villain. Not any more, since the experiments of Professor Hess of the University of Chicago prove the pupil of the eye to be the most subtle giver away of truth.

Pleasurable pictures, quite simply, cause the pupil to dilate and unpleasant ones cause it to contract. Shock pictures may cause dilation at first followed by contraction. Pupils lying about pictures they were viewing were given the lie by their own pupils.

If the social implications are amusing, the way of the transgressor may hereafter be quite markedly harder. Liars will have to live in their dark glasses.



"Don't worry your father, darling. He has things on his mind."

The small threatened child gazed up at us blandly, touchingly unaware of the lurking dangers.

"Well, I am sure that you do all that you can. You'd have nothing to reproach yourself with." He bent to put down his cup, and folders slid from his brief-case. "Resistance to disease" I read, "Vegetable juice—"

"Do vegetable juices build up immunity?"

"I suppose so, but it would be the same if he ate lashings of vegetables."

"With only eight teeth?"

"Only . . . ? Oh, I see. No he wouldn't get far with two pounds of carrots with those would he? But he could drink the juice in a couple of seconds. Half a minute, I think it says on the folder what carrot juice is good for. I think it's one of the musts."

"Do you drink it?"

"No, but I'm beginning to think I should. I've had so many colds and the other chaps in the outfit never seem to get them and they're real juice drinkers. Celery juice too, and spinach, and water-cress," he said, with admiration, "oh, they're a tough looking lot."

He was certainly no advert for doing without it.

"What does it say about spinach juice?" I asked, which is now the reason why the dog daily leaves the kitchen as though rocket-propelled as the scream of my health- and immunity-giving vegetable juicer rends the air.

I am glad I bought it; let me say quite clearly that I am glad that I bought it. What burns me up is the fact that my friend Isabel bought one too.

"My," she said, feeding great mounds of vegetable into her machine, "he certainly livened up the morning! I opened the door to him, my dear, and before you could say 'knife' he was making low, growling noises and practically pursuing me round the kitchen. There is a great life force in the juice of vegetables," she said, with a warm and reminiscent satisfaction, "did you know?"

What I did know was that some company have a salesman whose knowledge of feminine psychology is diabolical. Now, when salesmen call I shout to them through the letter-box to go away. I'm not taking any chances on opening my door to reveal to them the image of the Great Earth Mother herself. Act thirty-five before lunch in perfect safety? Who was I kidding? Damn it, that lad called at half-past nine in the morning!

Hubert Humphrey,
Eugene Rostow on
the rights of man

Conrad Knickerbocker
on Malcolm Lowry

Bill Mauldin on
Gen. Curtis LeMay

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DECEMBER 26, 1965

BOOK WEEK

The
Washington
Post

OUR MAN IN MOSCOW

A testament to the paradox of treason in the Cold War

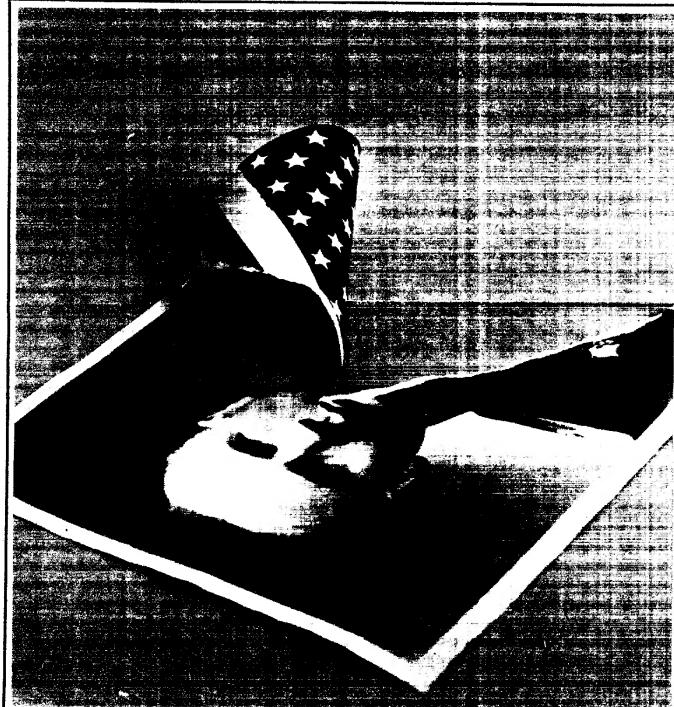
By John Le Carré

THE PENKOVSKIY PAPERS. By Oleg Penkovskiy. Introduction and Commentary by Frank Gibney. Translated by Peter Deriabin. Illustrated. Doubleday. 411 pp. \$5.95.

Oleg Penkovskiy (he is spelled this way in the book), Soviet artillery officer, spied for the Americans and British from April, 1961, to August, 1962. He was shot in the spring of 1963, having stood trial with his British intermediary, Greville Wynne. Wynne was later exchanged for Gordon Lansdale, leader of a Soviet spy ring, which testifies to his standing in the eyes of British Intelligence. That was just all we, the public, officially knew of the affair, except that everybody denied everything (though Penkovskiy and Wynne confessed) and eight British and American diplomats in Moscow were declared *personae non gratae*.

Since then, rumor has taken charge. In the British press, it acquired an increasingly informed appearance, while Washington was alive with the unblushing handouts of the Central Intelligence Agency, whose public relations department must have been working feverishly since Thomas Ross and David Wise published *The Invisible Government* and Lee Kwan revealed in Singapore that a very ugly American had offered him \$3 million for his allegiance.

The *Papers*, or Mr. Gibney's edition of them, are ominously in line with what has already been leaked. We have been softened for the revelation: here it is. Penkovskiy was a master spy. He is to be rated as high as Fuchs, Nunn May and Blake. He was not a mere half-pay artillery officer, but a key man in the Soviet search for world-wide industrial, scientific and technological intelligence. As a war veteran, the son-in-law of a general and a member of the secret inner world of Soviet power, he was able to provide President Kennedy with detailed, up-to-date information on Soviet rocket strength and on Khrushchev's strategic and political intentions. Penkovskiy, we are told, dealt the cards at Cuba and Berlin, and the West got the aces. (Did he warn us in advance of the Berlin Wall? No comment.) If that is so, he presumably also carries a fair responsibility for the downfall of Khrushchev. Penkovskiy provided a detailed breakdown of the Soviet spyweb, causing 300 Intelligence officers who



operated abroad under Soviet diplomatic cover to be summarily recalled to Moscow. But Penkovskiy did something else, Mr. Gibney declares: he wrote to us.

Penkovskiy wrote to us. These *Papers*, these jottings of a lonely spy, made in the secret hours of the night, are, Mr. Gibney explains, the political testament of a hero; they are addressed to us, Penkovskiy's new friends. He began writing them in the early part of 1961, at a time when he was trying to make his first contacts with the West. The last entry was apparently made in August, 1962, when Penkovskiy was already under surveillance. Penkovskiy concealed the *Papers*, with Russian cunning, in his desk.

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be challenged. He makes no serious attempt to explain how the *Papers* came to us. They were translated by one Peter Deriabin, a defector and former Soviet Intelligence officer upon whose experience Mr. Gibney has "drawn liberally." They should be read in a fairly thick Russian accent: "I saw how natural and unaffected the people behaved..." They were hidden in Penkovskiy's desk and smuggled out of Russia almost at the time of his arrest. It is a nice thought that Soviet Counter-Intelligence, astute enough to catch Penkovskiy, omitted to look in his desk. Who knew of their existence anyway? His Western masters? His wife? And who, knowing of their existence, would not have begged him to destroy them before they were discovered? Although we are treated to photographs of Penkovskiy's parents in

their youth and to reproductions of Penkovskiy's personal calling cards (try to fake *them* if you can), Mr. Gibney denies us even a page from the original manuscript. Mr. Deriabin, according to press reports, does a secret job at a secret address. Part of what you pay for this book will, Mr. Gibney tells us, be devoted to a special fund set up in Penkovskiy's name to further the cause of genuine peace and friendship between the American and Russian peoples. There goes that nice American boy, all smiles as the cameras flash: our first Penkovskiy scholar at Moscow University.

The style of the writings is enormously varied: sometimes Penkovskiy drifts into pages of polemic against Khrushchev and the Soviet leadership. Sometimes he is staccato, like end clippings from a tape recording, and sometimes he gives us straight intelligence, needlessly duplicating, presumably, what he was already giving his Western masters. And yet, for all that, I do accept that Penkovskiy said and thought the major part of what is contained in the *Papers*. They may be a handout; the description of their form and provenance may be deliberately misleading; but I am persuaded by their content.

Mr. Gibney, introducing the *Papers*, is in no doubt as to how we should regard his subject: "a single-minded revolutionary who gave his life in a lonely fight against a corrupt dictatorship." Mr. Gibney not only wants us to be thankful for Penkovskiy but to admire him.

Mr. Edward Crankshaw, in his foreword, is considerably less committed. For him Penkovskiy is that phenomenon of Cold War treason: a lonely decider, a man explained not by single-mindedness but by paradox. In signal contrast to Mr. Gibney, Mr. Crankshaw writes, "This Soviet Army Colonel was in some measure unbalanced," adding "a man who will take it upon himself to betray his government because he is uniquely convinced that he is right and they are wrong is by definition unbalanced, although he may also be a martyr." After reading the *Papers*, I am Mr. Crankshaw's man. If Penkovskiy is to be explained at all by the *Papers* as we have them, then indeed only by paradox. (Continued on page 7)

The question . . . is whether totalitarian political parties . . . can be considered properly bona fide political parties in a democracy . . .

Damned if you do, dead if you don't

By Hubert H. Humphrey

DEMOCRACY'S DILEMMA: The Totalitarian Party in a Free Society. By Benjamin E. Lippincott. Ronald Press. 293 pp. \$6.50.

The place of a totalitarian party in a free society has taunted and troubled philosophers and students of politics alike. It is the thesis of this provocative and muscular tract, however, that not nearly enough of them have been sufficiently troubled and that in the riposte of political action this question has not shaken enough minds in the English and American community of scholars.

The author of this book is one of my oldest friends. Dr. Lippincott was also my teacher a good many years ago at the University of Minnesota. And he has some flattering things to say about my early "anti-Communism" based on my conviction that liberalism, my faith, is totally inconsistent with totalitarianism of any kind, the Right or the Left. It is not for these reasons alone, however, that I pay tribute to this critical study of democratic political theory.

Dr. Lippincott's point of view will be strongly challenged by many. The question he discusses is whether totalitarian political parties that aim to achieve their ends by force and violence can be considered properly bona fide political parties in a democracy with all of the protections thereby implied. In analyzing the contributions that have been made to this question by intellectuals, scholars and political leaders, he finds a "neglect of thought" with but few exceptions.

To discover the writers who have actually dealt with the dilemma of the totalitarian party in a free society, Mr. Lippincott searched 1,000 books in the case of Great Britain, 5,000 for the United States. His conclusion: "relatively little attention was given to the totalitarian dilemma confronting democracy in Britain and the United States between 1917 and 1952." Moreover, not only has this critical subject been neglected, but even where it has been discussed the approach has been elliptical and confused. In short, he says, it has failed to meet the issue head on. For whatever the reason—sincere hopes for defrosting the cold war in the late Forties or simply a perverseness in academe—it has not received the attention it deserved.

For Professor Lippincott, the nub of the question is not a matter of compromising convictions of free speech or succumbing to the syndrome that suggests that an evil genie to destroy is lurking in the breast of every Marxist who resorts to rhetoric. It is rather a time for honest, dispassionate analysis of the twin dangers of totalitarian party to a democratic society: the inability to tell at what precise moment the overthrow of democratic government can be consummated by violence—or the inability to determine when democratic institutions can be captured without violence as in the tragic case of Czechoslovakia.

The central thrust of Lippincott's thesis is that the totalitarian party is essentially illegitimate. It rejects commitment to the maintenance of freedom and the

principle of peaceful change, and it insists upon all rights and no duties. Yet these same parties masquerade as freedom-loving instruments of political change. "Once Communist parties or Fascist parties cease to be debating societies and become formidable organizations for action, they present a challenge that is suicidal to ignore," he writes. At such a juncture, when the totalitarian party demonstrates an ability to infiltrate social and governmental organizations or to tie up critical facilities, Mr. Lippincott holds that "government interference is not only justified but required."

He is impatient with the orthodox who would not interfere with the Communist or Fascist Party until it had embarked upon revolutionary acts, which generally means acts of violence. The spiny problem here is that governmental action may be postponed until it is too late. How much individual violence can be tolerated before the totalitarian party should be effectively controlled or broken up? Surely this question was never successfully answered in Germany and Italy, nor in Czechoslovakia, where the infiltration of governmental and social organizations had been so deep that a bloodless coup could be engineered without violence.

Lippincott believes that his own answer to the basic dilemma is fully consistent with "the liberal point of view." He urges that the way to curb and dismantle the power of the totalitarian party is to insist that the debate on this question does not belong within the context of the individual or his freedom of speech. He places it squarely in the area of association and conspiratorial action. In this tradition, he stands with Sidney Hook's *Heresy Yes, Conspiracy No* as a trenchant critic of ritualistic thinking. It reminds one, too, of the distinguished philosopher, Arthur Lovejoy, founder of the American Association of University Professors and long one of the boldest champions of academic freedom, who delivered a stern rebuke 15 years ago to those who insisted that a member of the Communist Party had a moral right to teach in a university:

"The believer in the indispensability of freedom," he argued, "whether academic or political, is not thereby committed to the conclusion that it is his duty to facilitate its destruction, by placing its enemies in the strategic positions of power, prestige or influence. . . . The conception of freedom is not one which implies the legitimacy and inevitability of its own suicide. It is, on the contrary, a conception which defines the limits of its own applicability; what it implies is that there is one kind of freedom which is inadmissible—the freedom to destroy freedom. The defender of freedom of thought and speech is not morally bound to enter the fight with both hands tied behind his back. And those who would deny such freedom to others, if they could, have no moral or logical basis for the claim to enjoy the freedom they would deny."

Professor Lippincott's book is highly controversial. Many academicians will genuinely attack its solutions. Those from the far-out precincts of the Right and Left will, of course, attack its premise. Then there are those disenchanted with our amiable two-party system (recalling Mencken's spoof of the Twenties—"twin tin cannons loaded with talcum powder") who, under the banner of free choice doctrine, would risk the most virulent extremism. But it is clear to me that the book makes a valuable contribution toward understanding the true nature of the totalitarian party.

Here is a book that should be within easy reach of all who would understand one of the great enigmas of democratic government. It holds many lessons, not only for ourselves, but perhaps even more importantly for the peoples of developing nations whose uneasy politics lead them to cling to the eve of the hurricane, hoping to ride out the storm.

Hubert H. Humphrey taught political science at Macalester College and the University of Minnesota, served as Mayor of Minneapolis from 1945 to 1948 and as U. S. Senator for 16 years before his election to the Vice-Presidency; he is author of "The Cause of Mankind," and "The War on Poverty."

The echoing clash of Rex and Lex

By Eugene V. Rostow

MAGNA CARTA. By J. C. Holt. Cambridge University Press. 378 pp. \$11.50.

THE GREAT CHARTER: Four Essays on Magna Carta and the History of Our Liberty. By Samuel E. Thorne, William H. Dunham Jr., Philip B. Kurland and Sir Ivor Jennings. Pantheon. 149 pp. \$4.95.

David Henry Mitchell III is an angry young man, originally from New Canaan, Connecticut, who has been a dramatic (and illegal) protester against certain features of our foreign policy. In 1961, Mitchell and some friends tried to clamber aboard a Polaris submarine in the New London harbor. More recently, he undertook to "disaffiliate" himself from the military obligations of citizenship by refusing to obey various orders of the Draft Board with which he had registered at 18, before his present political outlook developed. In a brief to the United States District Court in Connecticut, where he was convicted of violating the Selective Service Act, his lawyer sounded the trumpet call of liberty in a number of imaginative arguments. One urged that Mr. Mitchell's trial be transferred to New York, on the ground that as one who had become "a New York radical," he had a right "to be tried in New York, a town the prosecution may deem to be friendly to the defendant's concerns. . . . The right to have one's conduct considered by grand and petit jurors of the vicinage is adumbrated in the Magna Carta (clauses 17 and 39)."

The reference to Magna Carta in Mr. Mitchell's brief is altogether characteristic of American law at its moments of libertarian exaltation. Magna Carta is a frequent grace note in the speeches and opinions of our judges. It appears with the Constitution and the Declaration of Independence in introductions to law school casebooks on Constitutional Law. We invoke the rebellious barons of Runnymede whenever we feel the hot blood of Sam Adams and Patrick Henry rising in our veins. Their pious memory is more in our lives than a reminder of how much we too enjoyed defying the King of England. Magna Carta is an idea, a legend, a dream, which is also a living force. Because of our written Constitution and Supreme Court, it is for us, even more than for the British, a symbol of the social ideal that "authority," in Mr. Holt's phrase, "should be subject to law which the community itself defines."

Mr. Holt's brilliant monograph does justice to all the many surfaces of his theme. It is scholarship at its best, scrupulous in method, and flashing in acuity and style. *The Great Charter*, more popular and of wider scope, consists of four expert essays on Magna Carta in the history of Anglo-American law and politics. Three of the four authors, and the introducer, Dean Griswold of the Harvard Law School, are Americans; the fourth, a well-known English student of British and Commonwealth constitutionalism. These two complementary books perceptively celebrate the first and best-known of Magna Carta's many birthdays, that of June 15, 1215—750 years ago.

Magna Carta is a power in our affairs precisely be-

Eugene V. Rostow, Sterling Professor of Law and Public Affairs at Yale University, is author of "The Sovereign Prerogative: The Supreme Court and the Quest for Law" and "Planning for Freedom."



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"Because of our written Constitution and Supreme Court, [Magna Carta] is for us, even more than for the British, a symbol of the social ideal that 'authority . . . should be subject to law which the community itself defines.'"

cause there were so many birthdays and so many Great Charters. The signing at Runnymede was not, like the scene on Sinai, a single blinding event that changed the course of man. For Runnymede was not an episode, but habit. There had been other charters of rights before 1215, some given by kings. In Mr. Holt's detailed account of the four royal charters issued between 1215 and 1225, and in the brief but lucid summaries by Mr. Thorne and Mr. Dunham, extending the story of Magna Carta and its successors to 1689, we can discern the process through which Anglo-American constitutionalism was defined, and won.

The moral of both these books is that the glorious legend of Magna Carta, unlike so many legends, is indeed based on fact. The myth distorts and simplifies, but it also illuminates the pattern of reality. The tradition of constitutionalism in English law and government—the idea of law based on custom and consent, binding even the Crown—was given decisive new strength, and finally confirmed, by the long contest for power which the 13th-century barons started against their Angevin king.

The battles of Richard in distant Aquitaine, and the taxes levied to pay for them, were not popular in England. But at least Richard had won his wars, and victory, then as now, had a way of silencing critics. By 1204, however, John had lost even Normandy, and he returned to England consumed by plans for revenge. His programs of military preparation were both expensive and onerous. In 1214, at Bouvines, they failed, finally and irrevocably, in the test of battle. Trevelyan wrote, "helped England become a constitu-

tional country," and, by reducing the possessions of the English kings abroad, helped also to restore "a more insular outlook," and to concentrate the thoughts of English leaders on "national interests and internal problems."

John came back from Bouvines determined to renew the war. This time the barons had had enough. The control of royal prerogative through a social contract was hardly their goal. It was, however, the device which came naturally to their minds, as the way to express an agreement of compromise, the alternative to regicide or rebellion in behalf of the French king. The treaty of peace they made with John at Runnymede did not hold for three months. But their document, enforceable by announced sanctions, became a touchstone of domestic tranquillity. It was issued and reissued, amended and proclaimed over and over again, as the price of taxes and as a coronation pledge, until it became the first of English statutes, the law by which practice and other laws were judged. Confirmed 44 times, it became the rallying point of political feeling, and one of the important tools with which the law and the political system were ordered, as generation after generation appealed to Magna Carta against the authority of Hobbes' rule that "clubs are trumps."

The Charter of 1215 itself, as Mr. Thorne remarks, is a "long and disorderly jumble" of 61 (or perhaps 63) clauses "regulating the relations between the King and the men of his realm." Many of the clauses deal with the liquidation of the immediate quarrel between the

Several are devoted to forests and clearings. Fish weirs are prohibited on inland waters, in the interest of navigation—a provision still in effect. The status of debts owed to the Jews is clarified, and uniform weights and measures promised for corn, wine, ale and other things. The freedom of the Church is declared, including its freedom of elections. And the "ancient liberties and free customs" of London and other municipal bodies are assured.

But the heart of the document, and the reason for its hold on our loyalties, is its provisions for the protection of the individual against the power of the state, through a perpetual grant of "all the liberties written below . . . to all the free men of our realm." The pledge bound not only the king and his heirs forever, but "all men of our realm, both clerk and lay, as far as it pertains to them, towards their own men."

The protected liberties and customs specified in the Charter cover a wide range. Many of them have been notable features of our own constitutional development. The list includes rights of inheritance and the protection of land against debt, at one end of the legal spectrum, and, at the other, the individual's freedom to leave the realm and return "safe and secure by land and water, save for a short period in time of war on account of the general interest of the realm and excepting those imprisoned . . . according to the law of the land," and aliens. No tax was to be levied "except by the common counsel of our realm"; to obtain the "common counsel of the realm," the king promises to summon a list of nobles and others to a fixed place, with at least forty days' notice, by individual letters of summons. He undertook not to "make justices, constables, sheriffs or bailiffs who do not know the law of the land and mean to observe it well." The common pleas are to be held in a fixed place, and assizes are to be held four times a year in each county. No bailiff shall put any one on trial by his own unsupported allegations, without bringing credible witnesses to the charge. "No free man shall be taken or imprisoned or disseised or outlawed or exiled or in any way ruined, nor will we go or send against him, except by the lawful judgment of his peers or by the law of the land"—a phrase that in later versions became "due process of the law." And "to no one will we sell, to no one will we deny or delay right or justice."

The operative Magna Carta in English law was that of 1225, later called *Magna Carta de libertatibus Angliae*. But for centuries men thought it was the document of 1215, from which it differs in several respects. The textual niceties are immaterial when one considers the Charter as a historical fact; in that perspective, as Dean Griswold remarks, "Magna Carta is not primarily significant for what it was, but rather for what it was made to be."

The idea of rule according to agreed law—of the king under law, within a hierarchy of acknowledged rights, privileges, duties and immunities—was a natural distillate from the philosophy and governmental experience of the time. As Mr. Dunham rightly stresses, Magna Carta did not invent, but fortified and "preserved the medieval ideal of the law's supremacy and so promoted the principle of the rule of law."

The English Charter had predecessors in England, and analogues in Hungary, Aragon, Sicily, and other parts of the Continent. But Magna Carta made several innovating contributions to the practice of issuing charters of rights.

In the first place the protection of Magna Carta was extended "to all free men of our realm," in 1215, and in the more lasting version of 1225, to "all of our realm," thus becoming what orators are fond of calling "the birthright of Englishmen." The comprehensive importance, or with problems that have now vanished.

(Continued on page 7)

Air Command into the most efficient and awesome weapon of all time."

Climbing high with Unsmiling Jack

By Bill Mauldin

MISSION WITH LE MAY: My Story. By General Curtis E. Le May with MacKinlay Kantor. Illustrated. Doubleday. 581 pp. \$7.95.

STRATEGIC AIR COMMAND: A Portrait. Text and Photography by Clifford B. Goodie. Simon & Schuster. 191 pp. \$9.95.

Broadly speaking, there have always been two kinds of generals—quiet ones and colorful ones. It has had little to do with their capabilities. On the quiet side, men such as Omar Bradley, Walter Bedell Smith, and Alfred Gruenther seem to have earned permanent niches in the gallery of military accomplishment. (There have also been, of course, quite a few officers of modest mien who've had a lot to be modest about, and have laid low merely to hide their deficiencies.) From the colorful category, two flaming examples come quickly to mind—George S. Patton and Douglas MacArthur. These were egotistical, driven men, on stage every waking hour.

It has been possible, certainly, to be colorful without being flamboyant. A lesser-known general of this type (he was bound to be lesser-known, since he did not court publicity) was the late Lucian K. Truscott, who accidentally swallowed carbolic acid in his childhood. This permanently corroded his larynx, and when he chewed people out they would lie awake nights remembering that terrible voice and what it had said to them. Like Patton, Truscott drove his troops and bedeviled the enemy, but privately Truscott was a shy and gentleman. He wore a loud, leather jacket, with stars gleaming, and made a lot of noise with his jeep siren on his way to battle, then came back to his headquarters as inconspicuously as possible, on the theory that brass hats should only be seen going toward the front. This sort of colorfulness is a working tool, to be returned to its scabbard after use.

And lately we have had the famous flier, General Curtis E. LeMay, recently retired, whose memoirs are the subject here. LeMay was not an infantryman, but as were all the above-mentioned gentlemen, he was an Army officer for most of his career, until he and his cohorts in the Air Corps seceded from the mother service in 1947 and set up shop as the independent U. S. Air Force. And although he was a pilot, his most important work was command and leadership of troops, or whatever they call them in the Air Force, so it is not inappropriate to examine him under the same glass as that used on his ground-pounding peers.

Reading General LeMay's book, you would have to categorize him as colorful, at least. He was a hell of a flier and a hell of a leader. He liked to fight. Before World War II he fought the U. S. Navy. In wartime he and the Eighth Air Force took on the Germans. Then he went to the Pacific, burned up Tokyo, and was in charge of the operation that dropped the A-bombs. After the war, as Strategic Air Command boss, his enemy became apathy and sloppiness. At the time of his recent retirement as Air Force chief of staff, he was locked in combat with McNamara on the issue of whether manned bombers are here to stay.

You've got to give this scrappy man plenty of credit, even if he does agree with you while you're doing it. In a post-World War II climate of military lassitude,

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he bullied, whipped, wheeled, and molded the Strategic Air Command into the most efficient and awesome weapon of all time. He had the imaginative gall to proclaim "Peace is our profession" as SAC's theme song, and, Dr. Strangelove's creators to the contrary notwithstanding, LeMay might just possibly go down in history as having made this incredible motto stick. While we are not exactly at peace today with the Russians, whom SAC was designed to impress, we are at least on terms of mutual respect, and there is little doubt in any reasonable mind about what the Russians respect is based on. There is also little doubt about what is inhibiting Chinese foreign policy these days.

You could say that so far SAC has won our unfoought wars. The trouble with this sort of victory, of course, is that it produces no medals, parades, or free drinks, and precious little credit. so if you want your horns blown you sort of have to blow it yourself. Fortunately, Air Force brass has always been pretty good at this, and LeMay is no exception.

He is ably assisted here by MacKinlay Kantor, his collaborator. Perhaps it would have been more fair to say that Air Force brass has always been pretty good at finding talented people to blow their horns for them. My only serious criticism of this long and eventful book about a long and fascinating career is that too much of it read; as if it came, unedited, out of Kantor's tape recorder.

There is too little anecdotal material here about the building of SAC—surely one of the great military stories of all time and the apogee of the general's career. We get plenty of bucolic reminiscences about the boy LeMay in Ohio racing to keep a spluttering Jenny in sight as long as possible after it had flown over his home town. We hear about life on the campus (he was not a West Pointer) among the sniveling slackers who couldn't see the glory of battle. But a lot of people are going to buy this book to check out some of the stories they've heard about this rough, tough, cigar-chomping character, and they're going to be disappointed. One yarn told most often about him—and which I've always assumed was true, but

ing stogie in his face. "General, sir, you'll have to put that thing out," the crew chief is supposed to have said. "Why?" LeMay allegedly snarled. "Rules," the man supposedly said. "Besides, the airplane might blow up." "It wouldn't dare," the general grunted, or so the story went.

Missing, also, are the marvelously dirty tricks LeMay is supposed to have concocted to keep his SAC security people on their toes. Retired now, he seems anxious to create a mellower image. One of the most serious morale problems in the Air Force a few years ago was family housing. Pilots and crews who literally held the nation's safety in their hands were forced to quarter their families in the shoddiest places, including rented chicken coops. LeMay tells us about this, and about how he solved other morale problems, and it is a worth-while story. But I still want to know if it is true that he once arranged for an "airliner" to make an "emergency" landing at a bomber base, disgorge a bunch of "saboteurs," and capture the base commander in his own bathroom.

Instead, he tells how he and General Francis H. Griswold, his deputy SAC commander, were happily working in greasy overalls one night at the Hobby Center he had created at his headquarters base in Omaha, building a sports car (one of the most endearing things about LeMay is that he is a great tinkerer), when an enlisted man came in, said, "Hey, guys," and asked them to give his stalled car outside a push. They went out and gave him a shove. LeMay ends this anecdote by saying he "hoped the kid never discovered who had pushed his car."

As image-making goes, this is terrible. If the general had been thinking ahead, he'd have made damned sure the boy knew who had pushed him. Then the story would have been told about the general, not by the general. There is a big difference. In World War I, a private accosted General John J. Pershing in the French dusk. "Got a light, bud?" he asked. The general obliged. When the match flared and revealed the four stars on Pershing's collar, the private began swallowing his cigarette. "That's all right, son," the old man said. "Just be grateful to God that I wasn't a second lieutenant." It would have ruined everything if Pershing had told it on himself.

And yet, there's something characteristically blunt and straight about the handling of this yarn of LeMay's. I can visualize him with Kantor in the general's den, surrounded by the freshly oiled rifles in their racks, the hunting trophies staring from the wall-spaces between the framed photos of B-17s struggling home with their tails half shot off, and the tape recorder gently whirring away. "Curt," says Kantor (they are good friends), "we ought to have a story about an enlisted man who didn't know who you were." "He wouldn't dare," the general grunts, then he snaps his fingers. "Say-y-y, there *was* a time in Omaha . . ."

Speaking of photographs, I don't know who picked the ones in LeMay's book, but presumably they are among the general's favorites. We learn from his text that he has firm opinions about most everything, including art, and I'm afraid the illustrations reflect this. They tend to be Air Force classic, such as the above-mentioned crippled bombers, as well as pictures of burning cities from 20,000 feet and so on.

He would have done a lot better to have borrowed some photos out of another new Air Force book, *Strategic Air Command: A Portrait*, by Major Clifford B. Goodie. Armed with what appears to have been a 35mm. camera and a fistful of lenses, Major Goodie has conquered the cliche problem and captured the Air Force, its weapons, machines, and its people in a collection of handsome, black-and-white enlargements which will be prized not only by airmen for nostalgic 0017006444 by photo-holics for technical brilliance.

Hooking his own white whale

By Conrad Knickerbocker

SELECTED LETTERS OF MALCOLM LOWRY. Edited by Harvey Breit and Margerie Bonner Lowry. Lippincott. 459 pp. \$10. **UNDER THE VOLCANO.** By Malcolm Lowry. Lippincott. 375 pp. \$5.95.

During the first week of March, 1947, the self-exiled Englishman Malcolm Lowry arrived in New York by bus from British Columbia via New Orleans and Port-au-Prince with a gallon of red wine and his wife Margerie. In town for the publication of his masterpiece, *Under the Volcano*, he began serious celebrations at the bar of the old Murray Hill Hotel and proceeded from there through the boites of Third Avenue. That night at the Greenwich Village house of Frank Taylor, editor-in-chief of Reynal & Hitchcock, his publisher, a small group gathered to do homage. Strained in the presence of paralyzed genius—the wine jug sat next to his armchair like an idol—they attempted to make small talk. At one point Albert Erskine, Lowry's editor, quoted a line from Melville.

"It's not right," Lowry muttered, his first words of the evening. They were startled; a voice from the dead. In precise, sonorous tones, he proceeded to quote word for accurate word the two-page Melvillian context from which the quotation came. Then he announced he had to leave or "terrible tragedy will strike this house." Later that night the Taylors' son Curtis came down with cyanosis.

The incident was pure Lowry: a fantastically crenelated mind, superlayered, super-dramatic, arcane, convoluting in that marvelous offhand English gentleman-amateur way through all the paths of western thought; grappling with self-induced dementia; Tiresias possessed by demons; a walking grimoire involuntarily demonstrating, after a long journey, the Law of Series. Into his great novel he had poured a measure of experience so hugely terrible that it ended by being the archetypal commonplaceness of the 20th century. The book

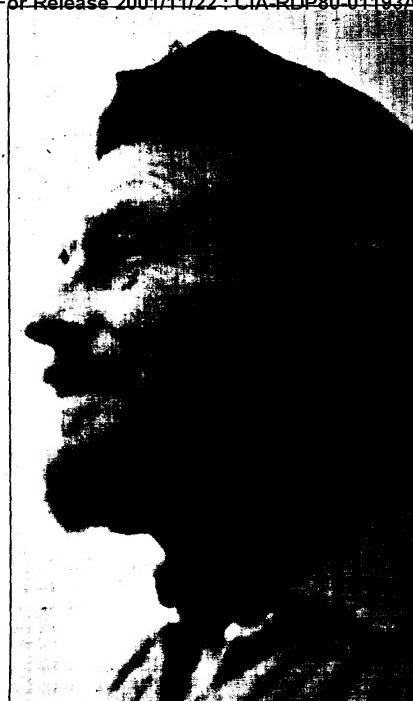
Conrad Knickerbocker, a journalist, critic and short-story writer, is writing a biography of Malcolm Lowry.

LETTERS OF FORD MADOX FORD. Edited by Richard M. Ludwig. Princeton University Press. 335 pp. \$8.50. **THE LIFE AND WORK OF FORD MADOX FORD.** By Frank MacShane. Illustrated. Horizon. 298 pp. \$6.50.

When Ford Hermann Hueffer legally changed his name to Ford Madox Ford, he coincidentally coined an objective correlative for one of the startling paradoxes of modern literature: there were, indeed, within him two writers named Ford. Ford One published, in a relatively brief lifetime of 65 years, 78 books as well as numerous and sundry shorter pieces. He was a superior literary journalist, a sedulously experimental but minor writer of fiction and verse, a provocative though erratic polemicist—in short, a highly cultivated hack. Ford Two wrote only a brace of books, *The Good Soldier* and *Parade's End*, but those two are major achievements of 20th-century fiction, masterpieces of the English novel.

John Simon is movie critic for The New Leader and drama critic for Hudson Review; his criticism on literature and drama was collected in "Acid Test."

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retold the Fall: self-destruction and exile, war and drunkenness. The Volcano's Consul, an alcoholic failed magician awash in the cantinas of a town like Cuernavaca, shudderingly cast up the Jacobean ancestry of the times. In ways too harrowing to admit, the Consul confirmed the predicament of us all. *Under the Volcano* looms through the fog, as Lowry once wrote, "like Borda's horrible-beautiful cathedral in Taxco."

Lowry's letters chronicle his appointment in Sarmara. The Cambridge undergraduate, already desperately out of sync with his Liverpudlian cottonbroking family (iron Wesleyan to the last smarmy drop of water), listened to Frankie Trumbauer, ate sardines, played the taropatch, feared syphilis, and read the novels of B. Traven. His soul flourished under the wing of his adoptive father Conrad Aiken.

Despite boxing matches and massive infusions of beer and whiskey in Cambridge pubs such as The Maypole, he produced *Ultramarine*, boyish novel full of flashes and more than a measure of talent, which acknowledged his debt to Aiken's *Blue Voyage* and to Joseph Conrad. The book, covering Lowry's *Wanderjahr* as a coal trimmer aboard a tramp steamer to the Orient, also revealed the richness, depth and compulsiveness of his roman-

tism. Down from St. Catharine's in 1932 with a third-class trip, the kind of degree that goes to the dull rich or to gifted wasters, he idled about London's literary Fitzrovia, drawing his flamboyant portrait of the doomed artist as a young man. It was a pose designed to help kill him.

France, Spain, and New York, briefly, followed, then Mexico. Arthur Calder-Marshall once said that Lowry was the kind of artist who had to live out the lives of his characters before he could write about them. In Cuernavaca the charming bohemian changed by degrees into the Consul, an appalling ruin, despair not only of wife, friends, and family but of the entire natural order. When he finally made his way to Los Angeles in 1938, his first act was to check into a flop house opposite the Southern Pacific railway station and sell the clothes off his back for a bottle of whiskey.

He possessed not only extraordinary powers of recuperation but an ironic detachment from self that enabled him to evolve beyond his earlier identities. Exiled to British Columbia by wartime passport difficulties, he and his new American wife carved a life in a squatter's shack on the beach at Dollarton—a happy ending too good to be permanent. There, mainly sober, he labored for the next six years through draft after draft of his big book.

His tragedy was not drink but that he had created a work so magnificent that it left little room for encores. Once completed, *Under the Volcano* would not let him alone. The protagonist of much of his future work, actual and projected, was a novelist caged by his own masterpiece. As the letters show, he toiled copiously on three more novels, short stories, novellas and poems, but he circled these like an albatross uncertain of where to land. Never again was he able to summon forth the enormous, obsessive singleness of mind that drove *Volcano* to triumphant conclusion.

Then, too, his life after Mexico had taken a direction increasingly opposite from that of the times. Isolated in his Canadian fastness, he had no direct experience of the war. When he came forth after the success of *Under the Volcano*, it was to encounter the profounder isolations of alcohol and of hotel rooms from London to Taormina. He simply no longer knew what it was like to live daily in society, which after all forms the ultimate substance of all fiction. The literary life appalled him; he fled from rooms containing more than six people. His letters were addressed at length to too few persons—his editor, his agent, translators, and a small handful of friends. He was truly alone.

But for all the magni- (Continued on page 11)

Is there a Ford in our future?

By John Simon

It may be that such a paradox must remain mysterious, one of the insoluble contradictions the artist's psyche is prone to; it is certain that any biographer or editor of Ford should try his damndest to shed light on it. Unfortunately, neither Richard M. Ludwig, in his pedestrian editing of the *Letters of Ford Madox Ford*, nor Frank MacShane, in his plodding *The Life and Work of Ford Madox Ford*, has succeeded in doing more than striking a match in thick London fog.

Ludwig's, admittedly, was not an easy task. In these letters, unlike in, say, Wilde's, there is not much ebull-

lent persiflage; unlike in Lawrence's, no immersion in every contiguous soul. Ford's letters only infrequently touch on artistic creation with anything like the penetration of Flaubert's; they are never, like Rilke's, finished works of art. They are, in fact, despite some random humor and occasional passion, dullish. All the more need for careful editing. Professor Ludwig could, for example, have provided us with interesting complementary comments from Ford's correspondents, or he might have quoted supplementary material from Ford's books or talk, which, apparently, was good. At the very least he should have offered adequate biographical data on Ford and those he wrote to and about, filled us in on issues the letters leave suspended in limbo. The lover of Ford who does not have a thorough prior knowledge of Ford's life will find reading this book rather a *coitus interruptus*.

It is not that some nuggets cannot be gleaned from the letters. Here is Ford, in a letter to an editor, arguing for Women's Suffrage: "I have, sir, in common with most men, suffered enormously at the hands of women. (Continued on page 8)

SIMILES & METAPHORS

Uncoupled couplets

By William Cole

The best ten cents I've ever spent went recently for a battered copy of a Victorian how-to book called *Evening Amusements: Mirthful Games, Shadow Plays, Chemical Surprises, Fireworks, Forfeits, Etc.* I was poring through its ludicrous pages looking for a chemical surprise, when my attention was arrested by a chapter on "The Game of Bouts Rimes?"—"simple in construction, but one eminently calculated to keep alive the attention of those engaged in it."

The rules of the game dictate that ". . . the director reads from a book, or if he prefers it, recites a line of poetry, to which the person to whom it is addressed is bound to add a line corresponding in rhyme, measure, and sense with it, under pain of having to pay a forfeit. When the director has given the line he spins a tee-totum, and the poetic feat must be accomplished before it has stopped spinning."

Well. Here's an Evening Amusement for fair! So I got out my tee-totum, paper, pencil, and five fat poetry anthologies. Opening each of them to the "Index of First Lines," I immersed myself for an evening of converting the sublime to the ridiculous. The results are at the right.



There is a garden in her face; (Thomas Campion)
Her dermatologist has the case.

I strove with none, for none was worth my strife; (Walter Savage Landor)
This worked with everyone except my wife.

Whenas in silks my Julia goes, (Robert Herrick)
The outline of her girdle shows.

I think continually of those who were truly great, (Stephen Spender)
And mutter to myself, "Too late . . . too late . . ."

In the cowslip pips I lie— (Wm. Shakespeare)
I'm the teeniest little guy!

Wh'n the hounds of spring are on winter's traces, (Algernon Charles Swinburne)
The rich take off for warmer places.

My heart aches and a drowsy numbness pains— (John Keats)
I ride to work on the New Haven trains.

My love is like to ice, and I to fire; (Edmund Spenser)
But a couple of drinks, and something may transpire.

To be, or not to be: that is the question— (Wm. Shakespeare)
Has anyone an alternate suggestion?

Since there's no help, come, let us kiss and part— (Michael Drayton)
Tomorrow night we'll make another start.

She dwelt among untrodden ways— (Wm. Wordsworth)
There's mighty few of those these days!

When in disgrace with fortune and men's eyes— (Wm. Shakespeare)
I tend to place the blame on other guys.

O, that this too, too solid flesh would melt! (Wm. Shakespeare)
I've had to punch a new hole in my belt.

Three things there be that prosper all apace: (Walter Raleigh)
Segregation, the bomb, and the race for space.

He did not wear his scarlet coat, (Oscar Wilde)
After his first few days at Choate.

When I have fears that I may cease to be, (John Keats)
I take another drink—or two—or three.

When lovely woman stoops to folly, (Oliver Goldsmith)
I want to be around, by golly!

Flow gently, sweet Afton! Among thy green braes; (Robert Burns)
They're damming you up in a couple of days.

I wish I was in de land ob cotton, (Daniel Emmett)
But I can't talk de language since I went to Grotton.

God moves in a mysterious way— (Wm. Cowper)
Nunneries burn, and the poor always pay.

I'm nobody! Who are you? (Emily Dickinson)
And have you been psychoanalyzed, too?

Where the bee sucks, there suck I; (Wm. Shakespeare)
I: you think it's easy, just you try.

Gather ye rosebuds while ye may (Robert Herrick)
But take your little pill each day.

Fair is my love, that feeds among the lilies; (Bartholomew Griffin)
Talk about nutty girls! I know some dillies!

When my love swears that she is made of truth, (Wm. Shakespeare)
All I can do is blame it on her youth.

They flee from me that sometime did me seek; (Thomas Wyatt)
Reckon I'd better take that bath next week.

Our man in Moscow

(Continued from page 1)
Paradox or omission.

Why did he spy for us? From the *Papers*, you could argue most motives. Was he sickened by conspiracy, tired of the cumbersome apparatus of deceit, shamed by his own alienation from the Russian people? There are so many straws to clutch at. We are shown a professional intelligence officer in middle age who had suddenly grown tired of a marriage to values he has outgrown. He decides to take a mistress, and that mistress was us. Suddenly, it seems, the man was seized with the spirit of anger and revolt: "I must defeat these men. They are destroying the Russian people. I will defeat them with my allies, my new friends," he writes. Having chosen us, he determines to enlighten us about the depravities of his old marriage. In Moscow, nothing pleases him: his leaders, high society, ideologies — only the people, the old values are dependable. From the inner chaos of his anger, of his bewilderment and fear, of his jealousy and vanity—all qualities to which the *Papers* bear witness—Penkovskiy forges two absolute judgments: one, of ourselves, in terms of embarrassing virtue, as if he had swallowed Reader's Digest whole; the other

John Le Carré is author of "The Spy Who Came in from the Cold," "The Looking Glass War" and other books.

of Moscow's society and leadership, which he describes in vivid, drastic, Dostoevsky-like language: "Bulganin drinks, drinks from grief and disappointment. Voroshilov used to drink a lot. Now he is quite an old man. Probably he will also die soon." I cannot credit C.I.A. with fabricating that passage.

Sometimes Penkovskiy suggests he has become cheap to himself; he is not a strong man but ashamed of his weakness; he has played the sycophant long enough; he is sick to the heart and will no longer lie down. After the constrained *volute* of clandestine life, he is shedding his secrets with profligate urgency, throwing everything off in order to feel clean. He has toadied to Serov: "I did everything Serov ordered me to do and tried to curry favour with him for my own advancement." We are not only his friends, but his confessors.

Even as he condemns Soviet society, he will not let go of it: he is a name-dropper, spending page after page placing himself in Moscow's *Almanach da Gotha*. He dwells on his White Russian extraction as if to emphasize that he is not our convert but our kinsman. He is capable of womanish spite. When caught in a personal rivalry in the Embassy in Turkey, he informs against his own superior through the channels of a rival organization. He is a soldier out of tune with

war: the first pages as we have them describe his skills as a line officer, but manage almost involuntarily to communicate his distaste for brutality. Here, as rarely, emotion illuminates the book and indignation replaces resentment: "... our soldiers fought the Germans in ruined buildings ... crawling toward each other among fires and through the smoke and dust which constantly hung over the city. Here for the first time I saw victims of the war ... soldiers and officers with blood frozen round their wounds could be seen everywhere."

What we know of Penkovskiy's behavior is if anything even more paradoxical than his writings. A trained conspirator, he keeps a diary of his conspiracy; a professional agent, he spends six months vainly trying to contact the West, approaching, Mr. Gibney blandly tells us, a number of American students in Moscow. Why didn't he try the U. S. Embassy? His approach to the British businessman Greville Wynne, by sheer luck, bore fruit, but why did he thus so recklessly put at risk the years of preparation which preceded it? He seems almost to have courted hazard as once he cherished caution. At last, in contact with Western Intelligence abroad (he made three trips to the West during his 18 months as an agent) he took dancing lessons, learned the

twist and the cha-cha and found time, despite briefing and debriefing by the West and the demands of his work as a Soviet delegate and spy, to get among the girls. Was this to be part of his campaign against the depravities of Moscow society? Even more bizarre, while in London he had himself photographed "in the full uniform and regalia of a British and American Army Colonel." These photographs were later found in his apartment by Soviet investigators. Mr. Gibney is not disturbed by this. The photography sessions were "clearly a part of a deeply thought out transfer of allegiance from [sic] a military man in whom the tradition of obedience and loyalty was ingrained." Fortunately Penkovskiy's luggage was seldom inspected by the Soviet customs.

Penkovskiy levelled the score. He was the most exciting, important, affectionate agent the West has controlled since the war. That is the claim of the book, and that is why we have been given it. Assuming, as I happen to, that the claim is justified, how does Western Intelligence come out of it? Does the book raise their stock, as presumably C.I.A. meant it to? Not on this evidence. We did not find Penkovskiy. He, with the greatest difficulty and danger, eventually found us. Blake served the Russians for ten years. Fuchs, Nunn May, Pontecorvo, Abel and the rest

can point to many years of service. Penkovskiy, with relative freedom of movement (three times in Europe in 16 months), with official access to foreigners in Moscow (which was how he met Wynne in the first place), with a reputation and a social position which put him, by Russian standards, almost beyond suspicion, ran for one year and four months. Wynne, his intermediary, was not, we are told, a trained agent. Was there no means of replacing him? As for those photographs. . . . Unless, of course, Penkovskiy's controllers identified and accepted that other quality which informs the *Papers*—his strong sense of living on borrowed time, his inherent urge towards self-destruction. If they had contained his violence, perhaps they would have lost the man.

Despite the cant and the hocus-pocus, my abiding picture is of a lonely, disillusioned functionary, sustained by beliefs or a moving simplicity, desperate for a new identity in a suddenly alien society, of a man no longer able to bend the ideology to meet the truth, compulsive and self-destructive, who found for himself a way of changing a world which had lost its meaning.

In his way, Penkovskiy succeeded. Let us gratefully accept his rare gifts without trying to sanctify his motive. We played him, and we were the winners. This time.

The echoing clash

(Continued from page 3)
portance. It "assumed legal parity among all free men to an exceptional degree," and thus rested on the idea that "the liberties at issue were to be held by a community," and protected by that community, the realm itself. Reviewing the long controversy among lawyers and historians of different views, Holt supports the essential part of Stubbs' judgment that "the Great Charter is the first great public act of the nation, after it has realised its own identity." Stubbs was wrong, Holt agrees, to impose the idea of "nation" on the 13th century. But he was right, in Holt's judgment, in asserting that through the Charter and its successors liberties were won for the whole community, and not only for a class.

Beyond its universality, Magna Carta was extraordinary in its device for security and enforcement: a committee of 25 barons, chosen by the barons of the realm. This committee, a feature only of the first Charter, was empowered to construe the document, and act "with all their might" to enforce it. They could investigate and adjudicate, and trans-

and then use force themselves to carry out their decisions, by seizing the king's castles, lands, and possessions, "and in such other ways as they can, saving our person and those of our Queen and children," if the king, after petition, failed in their view to redress grievances or breached one or another of the rights and liberties confirmed in the Charter. The device did not work in the violent form of 1215—a procedure that threatened nearly perpetual civil war. With the help of the Pope, the king won the next round of his battle with the barons. But the subsequent issues of the Charter came from the king's side, not that of the barons, as devices to reassure hostile opinion, and consolidate the realm. By the middle of the century, Holt finds, two more practicable modes of enforcement had emerged—"schemes for conciliar control of the king which would ensure that he executed what he promised," and the increasing tendency to rely on the Charter as a binding law, or even super-law, "advanced in evidence more and more in individual

in petitions to the Crown." Thus it began its long career as an integral part of the process of law in the courts, and as a "shibboleth" in the constitutional and political life of the country, and then of its colonies—the ancestor of the Petition of Right, the English Bill of Rights, Cromwell's Instrument of Government, and the American Constitution, and of constitutional documents and traditions in Canada, India, Australia, and other countries schooled in the common law.

The role of Magna Carta in American law stems from two sources—the general tradition of the common law, which all the colonies shared, and the specific model of the Virginia Charter of 1606, later followed in the preparation of the other colonial charters. One of the authors of the Virginia Charter was Sir Edward Coke himself, high priest of the Magna Carta and devout believer in the principle that both king and Parliament were subject to the obligations of a Higher Law, interpreted by judges. Coke, with Blackstone, was one of the most

mittors of the modern version of Magna Carta as a source of individual liberties, protected by law even against legislation. As Mr. Kurland's paper makes clear, Magna Carta was a lively factor in the drafting and revision of colonial charters and codes throughout the 17th and 18th centuries, and was invoked in Peter Zenger's famous trial, as the basis for a claim to freedom of the press; in Hutchinson's attack on the Stamp Act, and in the battle cry of "no taxation without representation." All in all, the history Mr. Kurland reviews does not support his suggestion that Magna Carta was a Platonic "noble lie" in American constitutional development.

There were a few rudimentary English precedents for the specifically American feature of constitutionalism—the practice of judicial decision on the constitutional propriety of executive action and legislation. But the practice never developed in England. Its flowering here was in fact a mutation in the long history of constitutionalism. Mr. Kurland reviews the part played by one clause of Magna Carta—

what we now call the due process clause—in a fascinating and important line of Supreme Court decisions. It has been part starting place and part where Mr. Kurland rather disparagingly calls "incantation."

But the power of words to touch the chords of memory is an indispensable force in human action, as Lincoln and Churchill knew so well. The example of Magna Carta, and its basic idea of law protecting the individual against the state, can still stir men to join the fight for justice. The appeal of a flag, or an ark, or a cross, or a book is not diminished because it is old or because all the believers do not understand all the symbols which it embodies. The essence of the matter is that human society is not a congeries of people, buildings, and statistics, but a sense of community, based on shared loyalties and shared ideals. Among the ideals which define the Anglo-American spirit, and therefore shape the future of societies governed by that spirit, none is more precious than the stream of experience evoked by the words "Magna Carta."



That sticky kid stuff

By E. W. Mills

WHEN I AM BIG. Story by Robert Paul Smith. Illustrated by Lillian Hoban. Harper & Row. 32 pp. \$2.50.

THE LITTLE SCHOOL AT COTTONWOOD CORNERS. Written and illustrated by Eleanor Schick. Harper & Row. 32 pp. \$2.25.

LITTLE BIRDS DON'T CRY. Written and illustrated by Arnold Spilka. Viking. 34 pp. \$1.

WHAT IS YOUR FAVORITE THING TO TOUCH? By Myra Tombach Gibson. Grosset & Dunlap. 44 pp. \$1.95.

LIKE YOU. Words by Sandor Stodard Warburg. Illustrated by Jacqueline Chwast. Houghton Mifflin. 49 pp. \$1.95.

Better than volumes of exposition, the title of his first book—*Where Did You Go? Out. What Did You Do? Nothing?*—demonstrated Robert Paul Smith's acute insight into the mind of the child. His new book, *When I Am Big*, is only a cute exercise that succeeds in demonstrating the stupidity of the adult mind—or at least of the particular adult who is father to the little-boy narrator.

From the yearnings of the "I" of the title, we gather that his father likes to crawl head-down on his steep roof to clean out the gutter, to wriggle under the eaves to install a jack, to coast on a sled across a well-traveled street. One suspects that Pop has reached maturity precisely because he, too, between the ages of 4 and 8, was forbidden just those activities prescribed to his son. The lad is not allowed to climb a ladder—surely a better approach to that gutter on the roof than Pop's way—or sweep up broken glass or shovel snow or sand the steps. Pop hasn't even the patience to let him inflate an inner tube, nor may the boy plug a plug in a socket (has some wayward adult yanked the plug out by the cord and botched up the connection?).

Why dwell on Mr. Smith's unsatisfactory book? Because it seems to keynote this group of titles that aim at insight

at flounder in a miasma of misdirected whimsy. A boy of six should be insulted by most of the restrictions imposed on him in *When I Am Big*. And last year, when he was even

littler, he would have refused to join the *poor* for release from monsters in their dreary day at *The Little School at Cottonwood Corners*. This one reads as if some one had said, "Let's have a book to explain school to pre-schoolers"—thus strait-jacketing author Eleanor Schick, whose earlier *Surprise in the Forest* came trippingly off her pen. Not so, the assignment for this year.

Any child would enjoy taking up Arnold Spilka's *Paint All Kinds of Pictures*, a charming sequence of varied moods, humorous and helpful. Its title suggests a rude conclusion about Mr. Spilka's current little cipher, *Little Birds Don't Cry*: even he can paint fuzzy pictures about unfunny conceptions ("Little birds don't cry—they peep.") And better pull out the psychiatrist's couch for the reader-victims of *What Is Your Favorite Thing to Touch?* Once cured of the Mom-dictated selections, he can scream from the rooftops that the beautiful feel "of my mother's hair" is NOT NOT NOT his favorite thing to touch.

Will the real Sandor Warburg please stand up—on the merits, anyway, of her *Thinking Book*, with its fine and well-reported perceptions? But in *I Like You*, she projects adult confusions and rationalizations, or, in plain English, she has put grown-up ideas in the heads and mouths of children. What child gives a



From "Little Birds Don't Cry"

fig, when he is mad, whether the other fellow is mad? In his centripetal world, there is no room for anger other than his own. And what child wants a *second-hand* four-leaf clover? It's the finding it yourself that's important. In fact, Miss Warburg has found one herself: "I like you because/I don't know why but/Everything that happens/Is nicer with you." This would be a freer, happier child if he stood on "I don't know why" and *so you* that said *quo* "because . . .

E. W. Mills is head of the Book Fair department at Scribner's Bookstore in New York City.

Is there a Ford in our future?

(Continued from page 5)

I have suffered a good deal at the hands of men, but men I have been able to get rid of. But the poor are always with us—and so are women, because they are poor." On writing fiction: "This may seem a rather commonplace way of looking at the matter—but life is a commonplace affair and it is only by piling one damn commonplace complication on another that you arrive at the tragi-comedy or the comic tragedy that life is." On writing verse: "Your poetry should be your workaday life. That is what is the matter with all the verse of today; it is too much practised in temples and too little in motorbuses." On teaching: "If a boy tells me he does not like Vergil, I tell him to find something he does like and read it with attention. That gives results that satisfy me."

For the most part, however, these are letters of friendship, amiable but trivial; letters of wrangling with publishers, pathetic but wearisome; missives of a magazine editor (which Ford twice—and exemplarily—was) or literary mentor, instructive though less than eye-opening; occasional epistolary outcries against the human condition, and especially the subdivision of it that condemns an intelligent and creative mind to submersion in penury—but even these letters, though sometimes touching, are quite forgettable. It is frightening, if true, that for publication of a novel in England, after all deductions for taxes etc. were made, Ford ended up with a net profit of \$40 from a year's work. But as Ford expresses it—hurriedly, with wounded pride, mixed in with bits of false modesty and genuine immobility—it fails, as an utterance, to be wholly moving or memorable. At times, though, the note is piercingly human; Ford has only one more year to live, and his mistress has just sold some of her paintings: "On the strength of her sales I have been able at last to buy myself a new sponge bag so I shan't have to be ashamed when I go into the washing places on Pullmans!" Yet it is doubtful that such poignancies, or occasional jollities, justify 320 pages of mostly humdrum viscidities.

Two letters stand out: a gravely humane reprimand to his daughter Julia, and a plea in the year of his death, 1939, to Malcolm MacDonald of the Colonial Office—with copies sent to the Times and Manchester Guardian—for an autonomous Jewish Palestine as the only way of averting disasters to come. These letters illustrate perfectly Professor Ludwig's shortcomings as an editor. The first letter is riddled with omissions, yet I can

not imagine that such jejune secretiveness was warranted, particularly since Ford was never scurrilous or malicious. Concerning the second letter, Ludwig characteristically fails to mention whether it was printed by either paper, or what repercussions, if any, it elicited.

Even the selection of the letters seems questionable. Thus Arnold Bennett mentions in his journal for January 31, 1910, a letter from Ford that sounds highly revealing, and Bennett was not the man to throw away letters of praise. Frank MacShane cites an extant letter of Ford's to Stanley Unwin, in which the non-selling author tries to cheer up his publisher by foretelling sales that might accrue from flattering obituaries; Ludwig does not reprint it. As annotator, moreover, Ludwig will identify Paternoster Row, which Ford derides, as "adjoining St. Paul's Cathedral," and not as the street of the publishing houses.

It might now be assumed that MacShane's critical biography could at least fill in the Ludwigian lacunas. True, MacShane has assembled a good many facts, some of them new, but even here much that is of a personal nature is missing. But then, Professor MacShane tells us, his aim was to give Ford the literary figure, and to discuss his artistic development. Very well, we would gladly settle for that.

But consider this description of Ford's verse technique: "He either imposed an over-all form from without or maintained an internal rhythmic pattern within a loose framework." This truism—what other kind of verse is there?—is submitted without any further elaboration or illustration. Of Ford's possibly most ambitious poem, "On Heaven," which Pound considered the most important poem in the modern manner, we read, "These rhythms are regular enough . . . to prevent the poem from being diffuse and disorganized, and sufficiently free to keep the lines from becoming tedious." Beyond this primitive concept of "regularity," we are given no discussion of metrics, and hardly any of prosody. Then the conclusion: "Ford's verse is a compromise between the stiff and the formless and is well suited to a narrative poem." Since all major narrative poetry was written in strict forms, can one simply leave it at that? Again, we learn that Ford's *Buckshee* poems are "in a sense" similar to Yeats's *Last Poems*; we are, however, never told what this sense is—and for good reason: it does not exist.

MacShane is no better with the prose. Concerning *Parade's End*, we hear that "despite their extraordinary behavior, the characters always remain real and

their actions plausible," but the assertion is not backed up with a single perspicuous example. Sylvia, the heroine, is "something of a spoiled angel, basically a 'good girl' who has got off the rails and gone to the bad." "The substance of *Parade's End*," we learn, "would never have come through without the technical skill with which Ford treated the subject," and this hearty banality is closely followed by such a classroom profundity as "the use of a strong scene is often tempting for writer, since climactic moments are dramatic and exciting."

But even MacShane's scholarship and diction are disconcerting. He speaks of Mrs. Lawrence's sending in David's poems to Ford who was the first to print them; actually, they were sent in by Jessie Chambers, the Miriam of *Sons and Lovers*. He repeatedly refers to the painter Othon Friesz as "Friez." He uses such vulgarisms as "off of" or "fulsomely" (for lavishly). He lapses into the language of the Victorian tea table, "a beautiful and sensuous maiden," or of the crassest movie reviewers, "A delightful romp, *Ladies Whose Bright Eyes* for once and all takes medievalism off of its pedestal." He mixes metaphors mightily, "Ford's is a bittersweet picture of a rotting corpse, the fag end of the Edwardian era that tottered to its close on the fourth of August, 1914," and makes grand but unfounded statements, "[Ford] became the last really rounded man of letters our century has known," as if Robert Graves, for example, did not exist.

At that, MacShane does quote two revealing pronouncements of Pound's: one about Ford's wasting forty novels containing "excellent parts merely buried in writing done at his second best," and another addressed to Ford directly, "You HAVE bitched about 80% of yr/ work through hanging on to a set of ideas recues." To these should be added a remark in Herbert Read's autobiography, "Ford had such an exclusive feeling for the novel that he was willing to 'ram' anything into it: the form could be inflated until it absorbed the man." Along these lines, one could perhaps resolve the Ford mystery—by graphically conjuring up the hack toiling against pressures of time and poverty, the genteel but indigent Edwardian clinging tenaciously to received ideas of the English gentleman, and the theorist of the novel confusedly struggling toward a modernity that did not really sit well with him. But Professor MacShane, lacking the gift of evocation as much as critical acuity, is not the one to do it.

The Devil may care

By Richard Gilman

THE SYSTEM OF DANTE'S HELL. By LeRoi Jones. Grove Press. 154 pp. \$3.95.

By now it should be evident that poet-playwright LeRoi Jones' real model and father-figure is Norman Mailer. Among their common properties and procedures: a bantam cock's belligerence, forever challenging the bigger birds; the handling of oneself as though by an ad agency; a hunger for absolutism and the by-products of charisma; a painful dissatisfaction with self which lacks all moral root or aim; a profound anti-intellectualism disguised as tough-mindedness; a radical confusion between literature and life; the desire, as Jones expresses it in his new book, to "create a new world. Of Sex and cataclysm."

There is one further affinity, the most binding of all. Immeasurably superior as Mailer is—or once was—as a writer, he shares with Jones a deeply romantic conception of art, one which leads both men to mistake will for accomplishment and to try to ram through into fictive life, by sheer force of assertion, what the imagination has failed to vivify. There is a sadness emanating from Mailer's last, dreadful novel, and it emanates even more strongly from this, Jones' first—a melancholy which rises from the exhibition of an ego ill-equipped for its ambitions, of a sensibility shackled to the unerringly wrong choice, the perfect outrage to eye, ear and mind.

I have called Jones' book a novel in deference to the dust jacket, but it is really a desperate exercise in autobiography, an effort to find a form and language for the author's impatient and besieged concern with his voyage to this place and this time (or at least to 1961, when the book's chronology ends with Jones, at 27, ready to begin his public career). Parts of it have already appeared, most notoriously a crude, distastefully vulgar segment of sodomitic vainglory which was presented as a one-act play.

"Of all forms of bad writing," Paul Claudel once wrote, "the worst is that which consists in saying obvious things in a pretentious way," and *The System of Dante's Hell* bears out that dictum. Starting with the title and the introductory chart which organizes the book into putative Dantean structures, from "Virtuous Heathen" in the First Circle down to the "Treacherous" in the Ninth,

pretentiousness sits heavily on every page.

To begin with, there is absolutely nothing Dantean about Jones' vision, since it lacks, to an extreme degree, any sense of the moral or of the relation of moral truth to emotional experience. Jones himself gives the show away when in a footnote to the chart he announces that he has "put the Heretics in the deepest part of Hell, though Dante had them . . . on higher ground" because heresy is "running in terror, from one's deepest responses and insights . . . the denial of feeling." This, of course, slices away every rational, ethical or metaphysical consideration from the word and substitutes a sophomore's hymn to "authenticity."

It is this quality of amateurishness, of bull-session philosophy and adolescent conversion of experience into rhetoric, together with the most atrocious literary posturing, that makes Jones' book so painful to read. The account of his childhood and youth in Newark and his later experiences in the Air Force down South seems to have only one agency of growth: the gradual development of the ability to imagine, if not yet fully to participate in, heterosexual activity as being preferable to its alternatives.

Somewhere dimly beneath the surface, emerging it would seem only when Jones for whatever reason stops being arty and portentous, is a straightforward, rather moving description of what it meant for him to be Negro in his years of putting on flesh and ideas. "I was nobody now, mama," he writes. "Another secret nigger. No one the white world wanted or would look at." And again, he speaks of the "torture of being the unseen object, and the constantly observed subject." If these things derive from Ralph Ellison, they are not invalidated by that, and they have the virtue of being simply stated.

Everywhere else Jones' book is a compendium of every fake little esthetic gesture, every arbitrary piece of mechanics, every technical jape and stylistic move it is possible to conceive. The first half is written in an elliptical, staccato prose which constitutes a grotesque parody of Beckett's *How It Is*.

His images are unfailingly inexact, when they are not simply meaningless: "Rearrange your synods, your corrections, your trees." "Thin glasses, like some oyster ostrich humping." "Hundreds of innocent voices honed to a razor-sharp distress by their imprecise lukewarm minds." He punctuates without the slightest relevance to esthetic purpose—merely, it would seem, for the sake of opposition: "The dark/and it clutched her." "These strangers, are beautiful." "At time, will." He capitalizes like a demented typographer. *Approved For Release* (Continued on page 11)

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Nourishing the roots

THE WATERS UNDER THE EARTH. By John Moore. Lippincott. 464 pp. \$6.95.

Readers who love the English novel rich in place, time, and character may be familiar with John Moore, who has written many books. I wasn't, but I'm planning to be.

Hundreds of years of English history inform this narrative, shaping the present and marking the future. Doddington Manor, not far from Stratford-upon-Avon, was a very old house when the first Ferdinand Seldon lived in it and Shakespeare was a stripling. But when Janet Seldon sees the last red squirrel on July 31, 1950, and notes it in her diary, the denizens of the manor are down to three: Lady Seldon, her husband Ferdo—the latest of the Ferdinands—and their daughter Susan, 18 and just home from school. All England is there, though, in such characters as Tony, inheritor and abuser of the privileges of aristocracy; Stephen Le Mesurier, who represents the district in Commons—a slender man alight with intellect and energy—but whose mother, Janet cannot forget, was a Levi; and the freethinking gardener Fenton, his public-spirited wife, and his lively offspring, beneficiaries of the egalitarianism of the new Elizabethan area.

In the handful of years between 1950 and the Suez crisis, the venerable Doddington oaks are threatened by a superhighway, and some of them succumb. Among the joys and brutalities of the land and its people, Susan loves, laughs, sorrows, and learns. Her mother cannot survive in a world where esteem must be earned. But old Ferdo—weather-beaten, failing, and still sturdy—comes to terms in the end with the cheeky gray squirrels that have taken over his park.

Mr. Moore, author of *You English Words*, is an amateur of words—which is to say, a lover of them, and he writes like one. His story marches as steadily as time, and his controlling hand is fair and firm. Equally, he mourns the loss of the wilderness and defends the right of the citybound to bring small wobbly castles to share out the ancient countryside. Progress hurts, Mr. Moore shows us, but it is also—like the waters under the earth—is irresistible, awesome and essential to life.

Taking the A-train

SIMPLE'S UNCLE SAM. By Langston Hughes. Hill & Wang. 180 pp. \$3.95.

These 46 sketches are not actually stories but little homilies, narrative editorials shining with wit and love. If Simple—Jesse B. Semple of Harlem, U. S. A.—is indeed what he says he is, an ordinary citizen, we are all in luck.

Langston Hughes, author of 30 years' worth of fine poems and short stories, here draws a rounded portrait of contemporary America as seen by a thoroughly human being—prejudiced and tolerant, persnickety and affectionate, impulsive and patient. Simple, down at the neighborhood bar for a beer, watches

Maggie Rennert is a poet and critic.

Approved For Release 2001/11/22 : CIA-RDP80-01193A000400170064-4

NEW FICTION

REVIEWED BY MAGGIE RENNERT

Harlem and the world go by and reports pungently on both.

In "American Dilemma," the amiable Simple and a young white policeman round a corner in Harlem from opposite directions and nearly collide—a situation normally calling for brief dialogue. But, both victims of their times, they can exchange greeting neither as man and man nor as citizen and policeman; Simple sees "Birmingham" and the cop "riot," and so they pass without a word. "Wigs for Freedom," an account of Simple's ebullient Cousin Minnie and her part in a Harlem riot, is a masterly example of the large and general shown in the passionate terms of the small and specific. "Pose-Outs" offers the most ingenious suggestion for dealing with racial conflict since Harry Golden's "Stand-up integration." And in "Interview" and "Dr. Sidesaddle," Negro leaders, liberal newspapers, and Harlem success stories are surveyed by the far-from-simple Simple.

I was struck by the similarities between Simple's irony, the wry wit we label "Jewish humor," and the kind of joking I heard once among wartime amputees at an Army hospital. Like the "sick" joke, this humor is self-mocking, but it is also self-respecting. Is the common factor that it is the laughter of victims, realistically kidding themselves and their predicament? As a reviewer, I'm accustomed to noting parallels and resemblances—but that's all I'm qualified to do. With some relief, I leave the question to the ponderings of the social scientists.

Kick me. Cupid

THE HAD. By Richard Gehman. Trident. 243 pp. \$4.95.

I haven't seen a burlesque show for years, but this book reminds me of that vanishing entertainment: its display of flesh becomes tiresome through overexposure and ritualization, but its comics are worth the price of admission. Like them, Richard Gehman is skilled, obviously, and consistently funny.

Mr. Gehman's Charles E. Hammer is noisy and intellectually pretentious (his version of Jean-Paul Sartre's precepts should startle the good gray existentialist); but he is also chipper, vital, and engaging. Time and again—principally in his hope-springs-eternal marriages—he creates self-defeating situations; at their predictable climaxes, there's our Charlie, staggering up at the count of 8, loving that he's been up at the count of 8, loving the fool.

with Carthoris, Dejah, Tario, Vas, and Kar—all characters in *Thuvia, Maid of Mars*. The McLungeons may have originated farther north than anyone supposed.

Mr. Stuart's noble savages and their elemental reactions are limned for us in such gems as ". . . all I could see was the bright nothingness of wind" and "Deutsia . . . looked up at Bass with tear-stained eyes." This loose-lipped burbling is described on the book's jacket as "lyric," and the slush it surrounds is what happens, kiddies, when novelists fail to distinguish between the simple and the simple-minded.

Shipping water

A NIGHT AT SEA. By Margaret Lane. Knopf. 245 pp. \$4.95.

Whether you like this novel depends on whether you can enjoy the night and the sea enough to overlook the personnel. For Miss Lane sculpts her figures with a literate and effective prose, but their armatures are weak.

The story's rather rubbery backbone is the conflict between middle-aged James Brockhurst, Queen's Counsel with a likely future on the bench, and his wife Molly, to whom he feels vaguely but inextricably tied. They set sail from Majorca in their small yacht Manatee with Ben Chandler, to whom they stand in *loco parentis*, and Ben's new girlfriend Pearl, very young, willowy, and inarticulate. Waiting at home in her London flat is Anthea, James' mistress, the extent of whose true love is demonstrated for us in her conversations with her friend Consuelo—every Mimi has a Musetta—and one Gerald Askew-Martin, solid suitor. James hopes to bring back from his voyage a rather tiny trophy; not a divorce but simply Molly's acceptance of the four-year-old affair. I suppose this could be deemed persuasive on the grounds of realism; more problems in real life are solved by compromise than by drama. But the trouble is, this one is then solved by the sea, i.e., by drama—if not, in fact, melodrama. I'm afraid the author simply can't have it both ways.

Though it is this structural flaw that causes the book to flounder, I don't think it was entirely seaworthy otherwise. Miss Lane has done a fair job of blueprinting the marriage of obligation and the attendant overwhelming urge of one partner to free himself of the other's dependence without giving up his own. But James' behavior is explained by the bland statement—swallowed whole by all hands in the book—that men are not monogamous, and I can accept neither that dubious generalization nor its application to the love affair. I think a man as ardently in love as Miss Lane insists James is finds monogamy acceptable in exchange for the privilege of having his lady around for the daily glories and despairs. Neither participant in an established amour is likely to be content with the stolen moment forever, and a childless man in his fifties who believes he has found love after years of a frigid marriage would seem to me very likely indeed to want children. Maybe I'm wrong in these notions, but Margaret Lane has failed to dislodge them, or even to shake them.

Book WEEK

Approved For Release 2001/11/22 : CIA-RDP80-01193A000400170064-4

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PICTURE CREDITS

Page 1—DeWayne Dalrymple; page 3—Culver Pictures; page 4—New York Herald Tribune.

Hooking his own

(Continued from page 5) tude of his predicament, the letters impress one with his integrity, his energy of mind, and enormous good humor. In 1940, about to be divorced by his first wife, he wrote to Conrad Aiken that she had left him "a sort of Lear of the Sierras, dying by the glass in the Brown Derby." From the depths of Oaxaca, harassed by the police, overflowing with tequila, he could write to John Davenport, with the wittiness that frequently came to his rescue in grubby circumstances, that he would not "play second fiddle to Harpo Marx" while on this "too-loose-Lowrytrek." As he once said, "cheerfulness is always breaking in."

Since its publication, *Under the Volcano* has suffered the fate of most of instantaneous classics: honorable oblivion. The academy has embraced it, and it is often required reading in those courses that investigate the modern agony. But aside from an underground coterie, no one seems really to have heard of Malcolm Lowry. Perhaps in the age of Kitten, of the Ginger Man and Herzog, the Consul is too quaint, too old-fashioned, descended as he is from Melville through Gogol and Conrad, resonating five centuries of the grand literary tradition, to seem relevant to the young.

For these reasons, and for an admirable introduction by Stephen Spender, one welcomes this new edition of the book. Spender wisely observes that for all the surface similarities, the dazzling command of images and symbols invoking total command of the language, Lowry was not James Joyce, Joyce and Eliot aimed at an objective literature purged of personality. Lowry's work was subjective—pure personality—and he wrote too close to the bone of his own being. But before he was finally overwhelmed by his characters, he made great art.

Devil may care

(Continued from page 9) shot, fails to close parentheses as though to do so would be heresy to "one's deepest feelings."

For the reader, after having passed through irritation, boredom, anger and despair, the final emotion is pity. This is of course what a writer like Jones will resent most fiercely. Yet what other response is possible to a man who puts down a sentence like "The house is old and night smooths its fitters with screams" and thinks that he has said something evocative or even intelligible? What can we feel except compassion for a man who doesn't understand that if you publish advertisements for yourself, you have to have something clear, identifi-

WHAT PEOPLE ARE READING

The list below, based on reports received from leading booksellers around the nation (see below for stores reporting this week), is meant to indicate which books are currently the most popular in the U. S.—not which are the best. Books deemed by Book Week critics to be of special literary, social or historic interest are marked thus (*). —The Editors.

Week's Score	FICTION	Weeks Listed
1*	The Source, by James A. Michener A pageant of Israel from the caveman to the present.	30
2	Those Who Love, by Irving Stone Biographical novel of Abigail and John Adams.	6
3	Airs Above the Ground, by Mary Stewart An adventure story set in the Austrian countryside.	13
4*	Up the Down Staircase, by Bel Kaufman Inside a New York City public school.	41
5	The Honey Badger, by Robert Ruark A writer in search of himself.	7
6	Thomas, by Shelley Mydans Historical novel of the famous Archbishop of Canterbury.	12
7	Hotel, by Arthur Hailey Behind the scenes at a luxury hotel in the South.	39
8	The Rabbi, by Noah Gordon The successes and failures of a Brooklyn-born rabbi.	9
9	The Green Berets, by Robin Moore A fictionalized account of combat in South Viet Nam.	25
10*	The Lockwood Concern, by John O'Hara Four generations of an eastern Pennsylvania family.	1

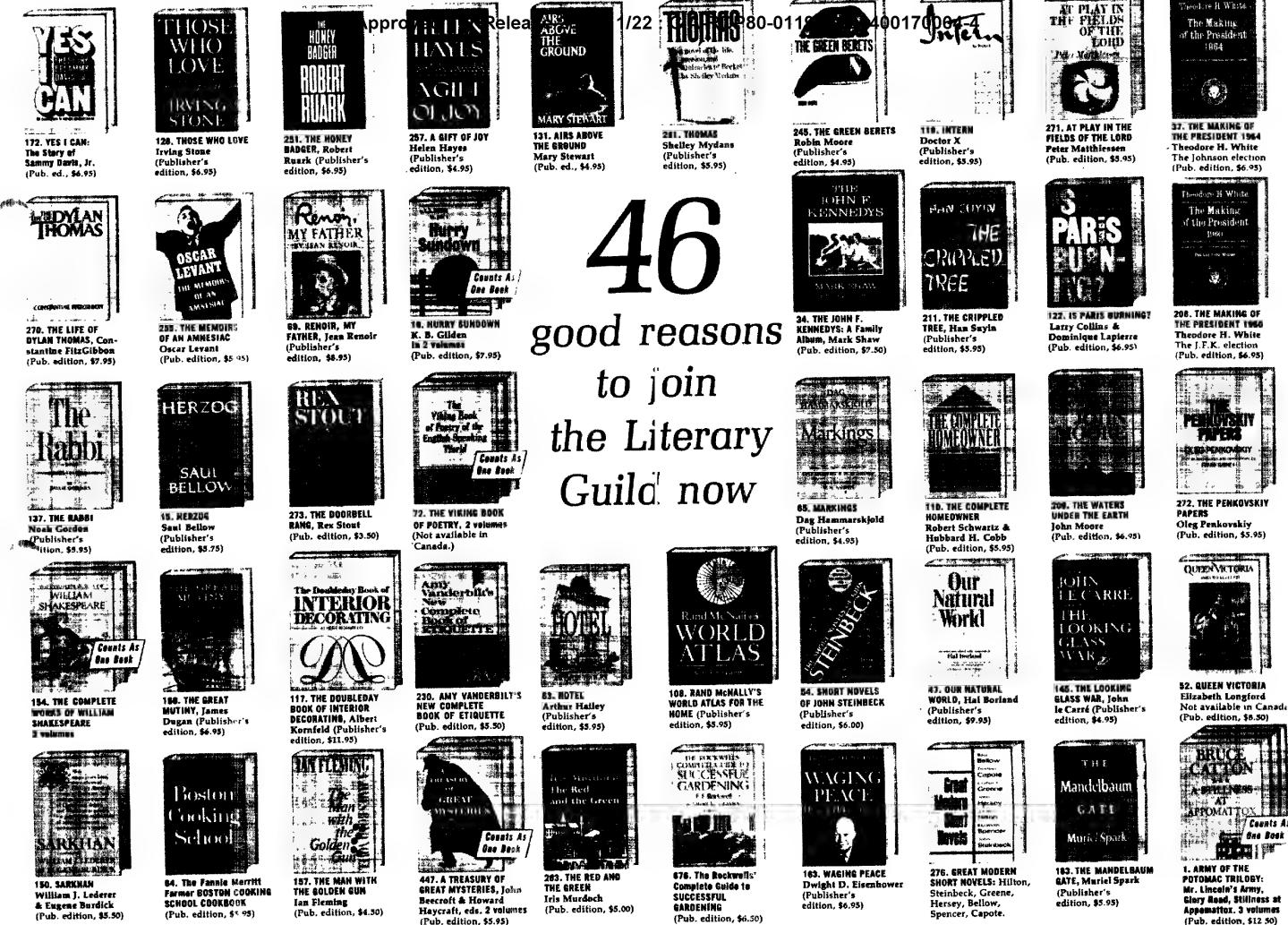
GENERAL

1*	Kennedy, by Theodore Sorenson The late President as seen by his closest aide.	10
2	A Gift of Prophecy, by Ruth Montgomery A woman claims she foresaw President Kennedy's assassination.	16
3*	Games People Play, by Eric Berne Off-beat humorous theories about human relationships.	17
4*	A Thousand Days, by Arthur M. Schlesinger Jr. Historical memoir of the Kennedy Administration.	2
5	A Gift of Joy, by Helen Hayes with Lewis Funke The actress' autobiography.	4
6*	Yes I Can, by Sammy Davis Jr. with Jane and Burt Boyar The entertainer's autobiography.	10
7	In Paris Burning, by Larry Collins & Dominique Lapierre The day Paris was liberated from the Nazis.	25
8*	The Penkovskiy Papers, by Oleg Penkovskiy Posthumous memoirs of a Soviet counterespionage.	1
9*	Intern, by Dr. X Day-by-day account of a young physician's internship.	21
10	World Afarne, by Billy Graham The evangelist on morals and politics.	7

BOOKSELLERS REPORTING

Albuquerque—New Mexico Book Co. Boston—Lauriat's • Old Corner. Chicago—Carson, Pirie Scott • Kroch's & Brentano's • Main Street • Marshall Field • Wieboldt's. Cleveland—Burrows. Colorado Springs—Chinook Bookshop. Dallas—Cokesbury. Greensboro—Wills Book Store. Indianapolis—L. S. Ayres. Larchmont—Anderson's. Los Angeles—Campbell's. Miami—Burdine's. Minneapolis—Powers. Nashville—Stokes & Stockell. New York—Bloomingdale's • Brentano's • Doubleday • Scribner. Omaha—Matthews. Philadelphia—Gimbels. Rochester—Scranton's. St. Louis—Doubleday. Sacramento—Levinson's. San Francisco—Brentano's • Paul Elder's • Emporium • Tillman Place. Seattle—Frederick & Nelson. Washington, D. C.—Brentano's • Francis Scott Key • Hecht Co. • Savile Book Shop. Woodward & Lothrop. Wilmington—Greenwood Book Shop.

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LITERARY GUILD OF AMERICA, Inc., Garden City, N. Y.

BOOK WEEK December 26, 1965

Letters to the Editor

Penkovsky Reaction

I share your regrets over the obtuseness of the Soviet authorities in matters pertaining to freedom of the press. Obviously, you are under no obligation to show a "correct" point of view and are even perfectly at liberty to print anything that fills the empty spaces between chuck roast ads. However, it is regrettable that the expulsion of your able and amiable Moscow correspondent should have resulted from the publication of so unworthy material as *The Penkovsky Papers*.

At best, the papers are worthless as a source of insight into Soviet intentions; at worst, they tend to arouse the suspicions of the Soviet authorities that the timing of the publication was "not accidental."

The issue is not really the authenticity of the papers (although I personally consider them, on the internal evidence of the text, a rather substandard forgery or a doctored version of oral remarks by Penkovsky recorded on tape by his London contacts).

The business of spies is to forward factual information and leave analysis to others. As Edward Crankshaw so ably pointed out in the remarks which you used as a scanty fig-leaf for the papers, Penkovsky confused capabilities with intentions, a cardinal sin in intelligence analysis. The *Papers* also confuse contingency reasoning with evidence of planning. It is interesting and important to know that there exists somewhere in Moscow a staff paper arguing the merits of surprise attack or preventive war or bacteriological warfare. Such contingency papers are produced by the dozens in Washington and

elsewhere and they are the legitimate province of strategic military thinking. But it is the business of political analysts to assign to them the exact weight they deserve.

The publication of the *Papers* comes at a time when the Soviet Union is in an extremely delicate position with respect to the outside world, pressured by the Chinese as virtually a lackey of Wall Street and at the same time charged with responsibility for real or imaginary disturbances in places far removed from Moscow's influence. It takes little to generate in the minds of the Soviet leaders the notion that "someone" was trying deliberately to complicate still further the otherwise delicate relations between the U.S.S.R. and the United States.

It would, of course, be of help if the Soviet leaders or their advisers knew more about the free-wheeling habits of the American publishing industry. At the very least, the customary delay between the acceptance of a manuscript and its actual appearance in print should seriously impair the "curious timing" theory. On the other hand, once the editors of *The Washington Post* have digested their indignation, they might take some time to ponder this friendly suggestion: The publication of drivel, while admittedly a matter of right—is not the best way of discharging the precious responsibilities of a free press.

SAMUEL L. SHARP,
Professor of International Relations,
American University,
Washington.

Russians Hit Spy's Book, Authenticity Is Questioned

By BERNARD GWERTZMAN
Star Staff Writer

Soviet officials have responded with unusual anger to the publication of "The Penkovskiy Papers," a collection of notes and documents purported to have been smuggled to the West by Oleg Penkovskiy, a Soviet intelligence officer who was executed in 1962 for spying.

The Russians, as could be expected, charge the papers are a forgery. But many Western experts also subscribe in whole or in part to this view.

In this country, the Russians have reacted most harshly against the reprinting of the book in the Washington Post and other newspapers. So far as is known, no protest has been filed with Doubleday & Co., the publishers of the book which officially comes out on Friday.

On Saturday, the Soviet Foreign Ministry called the Post's Moscow correspondent, and told him, according to the paper, that "the papers are a falsified story, a mixture of anti-Soviet inventions and slander which are put into the mouth of a demasked spy, provocative claims whose

purpose is to denigrate the Soviet Union, poison the international atmosphere, and make difficult a search for ways to improve relations between states."

In addition the foreign ministry said if publication of the "papers" continues, "we reserve the right for ourselves to take necessary measures." The Post today printed on schedule the final installment of the series.

Yesterday, the Soviet Embassy here charged the book was "nothing but a crude forgery cooked up two years after Penkovskiy's conviction, by those, whom the exposed spy had served."

This was the first official charge that the book had been created by British and American intelligence services, a view subscribed to many Western experts.

The embassy disputed one specific theme that runs throughout the book.

Penkovskiy is purported to have written many times that the Soviet high command, from Nikita S. Khrushchev on down, seriously considered a first

strike nuclear attack on the United States—even when Khrushchev was saying the contrary.

The Soviet reply said that "the authors of the 'papers' stuffed them with stereotype anti-Soviet insinuations. Using Penkovskiy's name they ascribe to the Soviet Union such concepts as, for instance, the concept of preventive war, which in reality is hatched by certain forces in the West. The authors of the 'papers' apparently assume that any sort of slander might be put into the traitor's mouth and that they could easily get away with that."

Many Western experts doubt that Penkovskiy actually sent out the papers which the book's editor, Frank Gibney, describes as "a series of hastily written notes, sketches, and comments, begun early in 1961. . . . The last entry . . . was written on Aug. 25, 1962."

Gibney said in the book's introduction that about the time of Penkovskiy's arrest on Oct. 22, 1962, "the papers were smuggled out of the Soviet

See PENKOVSKY, Page A-6

PENKOVSKY

'Memoirs' Contain Much Speculation

Continued From Page A-1
Union to an Eastern European country. From there they were transmitted to Peter Deriabin, himself a former defector from the State Security Forces, who undertook the long preliminary work of translation and selection. Their authenticity is beyond question."

Those who question its authenticity believe that much of the book was put together from the potpourri of information and gossip that Penkovsky gave to Western intelligence agencies during the 16 months he worked for them.

Penkovsky (the book refers to him as "Penkovskiy," using the more formal transliteration from the Russian) presumably told the Western agents everything that he purportedly wrote down and then would have had to risk sending out of the country.

Fervent Anti-Communist

Additional doubts are thrown on the reliability of some of the views attributed to Penkovsky, who appears as a fanatical anti-Communist who believed the West was letting its guard down in the face of an immense Soviet espionage campaign against it.

Penkovsky was certain Khrushchev, for instance, would sign a separate peace treaty with East Germany as he threatened and that he would not sign a nuclear test ban treaty with the West for 10 years. Actually a partial ban was agreed on in 1963.

Much of the book is devoted to stories about the personal lives of some top Soviet officials, most of whom are or were in the military—the type of knowledge someone as well

placed as Penkovsky, a colonel in the military intelligence, would know—but which would be of only marginal importance to Western intelligence.

Little "Hard" Information

The book contains little "hard" intelligence information—the kind that would probably not be released by an intelligence agency. It contains a good deal of speculation and rumor that every agency receives from its agents but has to be discarded.

Gibney said Penkovsky's main achievement was his supplying of up-to-date information about Russian and East German military plans during the Berlin crisis of 1961-62. He also suggests that Penkovsky contributed information on the buildup in Cuba, which only became a crisis the day before his arrest.

Soviet officials believe there is some connection with the publication now of the "Papers" and the international scene.

Seen as Agent of U.S.

One of the reasons they have been especially harsh on The Post is apparently a feeling on Moscow's part that The Post is working in this instance as an agent of the U.S. government—something the Post denied in an editorial yesterday.

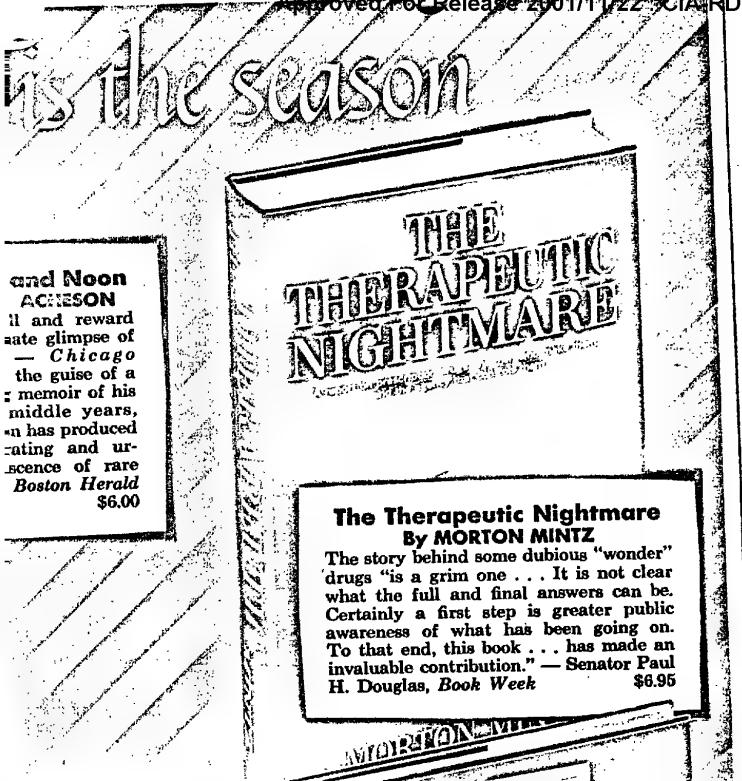
The question is raised, however, as to who was responsible for the "papers" falling into Gibney's hands. If intelligence agencies were responsible, as some observers believe, then was the publication approved at the highest levels of government?

Gibney, who supplied the commentaries that preceded each chapter of the "papers," knowledge someone as well has written several books in the

past and is a former magazine editor.

There is some mystery about Deriabin—the former agent of the Soviet secret police who defected in the 1950s to the West. Nothing more was heard from him until his participation was disclosed in this book.

It is considered likely that Deriabin had some connections with the Western intelligence agencies, at least on a consultative basis.



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Legacy Of a Spy

THE PENKOVSKIY PAPERS. By Oleg Penkovskiy. Introduction and commentary by Frank Gibney. Translated by Peter Deniabin from the Russian. Illustrated. 411 pp. New York: Doubleday & Co. \$5.95.

By GEORGE FEIFER

ON May 11, 1963, a Moscow courtroom rang with cheers as Oleg Penkovskiy was sentenced to death by the Supreme Court of the U.S.S.R. Penkovskiy, a slim, graying man of 44, maintained his composure. He could not have expected less severe punishment. From April, 1961, through August, 1962, he had been supplying British and American intelligence with priceless top-secret information acquired as an intelligence colonel attached to the Soviet General Staff and a social intimate of Soviet generals and marshals.

To London he passed (largely through Greville Wynne, a Brit-



Col. Oleg Penkovskiy.

ish businessman sentenced to eight years imprisonment at the same trial and released in 1964) over 5,000 photographs of documents concerning Soviet missile developments, internal political developments, espionage operations abroad, military plans of all sorts. It was one of the most successful espionage operations of the cold war.

"The Penkovskiy Papers" are Col. Oleg Penkovskiy's rambling observations about the Soviet Union and especially its security apparatus, written hurriedly while he was engaged in treason and later smuggled to the West. Penkovskiy ("Penkovsky" is the usual transliteration) resolved to spy for the West in order, as he put it, to join "the real struggle for peace." His observations are intended for Western readers whom he implores to believe his information and trust his sincerity. "To tell the truth

(Continued on Page 12)

A student of modern Russia, Mr. Feifer is author of "Justice in Moscow."

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Legacy

(Continued from Page 10)

about this system—it is the goal of my life."

The truth about the Soviet system as Penkovskiy describes it is as ugly as anything portrayed in Western literature. The regime is a brutal military tyranny, manipulated by a clique of cynical, desperate vulgarians, held together by brute force, fraud and the threat of terror, dedicated solely to maintaining its power in Russia and spreading it abroad. The Central Committee of the Communist party, operating hand-in-glove with security organs, dominates every aspect of Soviet life. No institution is free of secret police agents.

SECRET, deceit, treachery and oppression are the stock in trade of the Soviet bureaucracy. Life at the top, among generals, marshals and party bosses, is a study in debauchery, selfishness and callousness. Life everywhere else, except in major cities, is a grim struggle for food, privacy and dignity. And everywhere is a sense of desperation because all Russians know Communism is a false god—and none dares to say it. "I praise our leaders, but inside me I wish them death."

These impressions are given in passing; the "Papers" are devoted primarily to descriptions of Soviet military plans and espionage techniques. Here, Penkovskiy's revelations border on the grotesque. The great majority of Soviet diplomatic, consular, trade, press and other personnel serving abroad—including drivers and maids—are intelligence agents. (Most belong to the K.G.B., the Committee on State Security, which conducts constant surveillance on all Soviet personnel abroad, including high officers of military intelligence, in which Penkovskiy served.) Elaborate sabotage plans, down to the poisoning of drinking water, are continually being perfected.

Every aspect of Soviet intercourse with other nations is subordinated to the interests of espionage and military power. As for military policy, feverish preparations are being made for a Soviet first strike with nuclear missiles, to lay the West prostrate with a single devastating blow. For this, Soviet capabilities are still far from adequate; despite Khrushchev's braggadocio, Soviet weapons are relatively poor and Soviet soldiers eager to defect. But everything in the Soviet Union is directed toward this supreme goal, the perfection of a decisive first strike.

Throughout the "Papers," Penkovskiy sustains a constant warning to the West: be vigilant, be militant, prepare. He is appalled by the naïveté and laxness of Westerners. His ad-

(Continued on Page 16)



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 HARCOURT, BRACE & WORLD

Legacy

(Continued from Page 12)

vices will delight J. Edgar Hoover and the John Birch Society:

"Each person living in the West must fully understand one thing: espionage is conducted by the Soviet government on such a gigantic scale that an outsider has difficulty in fully comprehending it."

"I cannot understand at all why the Communists are permitted to operate so freely in England and France. Why are they not shown who is boss?"

"Khrushchev will sign an agreement prohibiting nuclear tests only after he becomes convinced that the U.S.S.R. is ahead of the U.S. in the use of nuclear energy for military purposes."

"The world can be thankful to Khrushchev for his militant words. They forced Kennedy, Macmillan and de Gaulle to double or triple their military budgets."

Predictably, charges of "falsification" and "forgery" have already been issued by the Soviet embassies in Washington and London. Are these pages from Penkovskiy's pen—or are they counterfeit, as so many diaries of this type have been? I cannot judge. Once a suspicion has been implanted, however, one imagines he detects signs of spuriousness. And there are *a priori* reasons to doubt that a masterspy would write this kind of memoir.

ASIDE from this, there are reasons to question Penkovskiy's judgment. His fierce loathing of everything Soviet, and especially of Khrushchev, drives him to obvious overstatement. For the Soviet Army, he says typically, things were better under Stalin: Stalin never insulted the Army, whereas Khrushchev discharged thousands of dedicated, capable officers in his cruel and insane demobilization of 1960. (Perhaps Stalin in fact never insulted the Army; he merely decimated its officer class by shooting thousands of officers in the 1930's.) Statements like this one—and Penkovskiy's tendency to damn Khrushchev both for concentrating too much and too little on military preparation—discredit his interpretation.

Was Penkovskiy an "enduring symbol of one human's heroic resistance to a corrupt dictatorship" as the translator of the "Papers" affirms? Or does he merit the disgust with which Rebecca West views Western traitors in the cold war? "Treachery is a sordid and undignified form of crime," wrote Miss West in "The New Meaning of Treason"; "we should abandon all sentimentality in our views of the traitor, and recognize him as a thief and a liar." In either case, Penkovskiy's book is repellingly fascinating. It takes us inside Russia—in an unorthodox and frightening way.

THE GUARDIAN
Manchester, England

Approved For Release 2001/11/22 : CIA-RDP80-01193A000400170064-4
OCTOBER 15, 1985

Penkovsky
papers

COLLINS announced yesterday the publication next month of the "Penkovsky Papers," a collection of intelligence reports sent from Moscow to the West by Colonel Oleg Penkovsky, himself a Soviet intelligence officer, before he was caught and sentenced to death in 1962.

While Collins is in no position to say so, the papers have unquestionably been made available by the Central Intelligence Agency, which regards their publication as an important move in the battle of wits between Western and Soviet intelligence organisations.

When the papers are published they will be seen to surpass in extent and detail any comparable documents in the history of espionage. Victor Zorza, who has had an opportunity to study much of the Penkovsky material, discusses its authenticity and significance in his Friday column, "The Communist World," on page 13.

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One-upmanship in Soviet-US spy game

THE COMMUNIST WORLD: BY VICTOR ZORZA

The release by the Central Intelligence Agency of the reports it received during 1961-2 from one of its most successful Russian spies, Oleg Penkovsky, who was sentenced to death in 1963, is an event unprecedented in the history of espionage.

"The Penkovsky Papers," when they are published in book form a month from now, will be found to reveal much of the inner workings of Soviet intelligence, which employed him in a high post. They will show how much he was able to report to the

for the authenticity of the "Penkovsky papers," and their word would be suspect. All I can say is that some of the "secret" facts now appearing in the "Papers" are known to me to have been discussed by Western Government experts on Russia two or three years ago. Many of the passages are consistent with what has been slowly seeping through the official grapevine about Penkovsky's reports to his Western intelligence masters.

It may be that, in terms of military intelligence, the most important piece of information conveyed by him to the West concerned the "secret weapon" about which Mr Khrushchev boasted in 1960. There need be no doubt that Western intelligence services were ordered to make every possible effort to break Mr Khrushchev's secret, for failure to do so might have put the West at a great, possibly decisive, disadvantage.

This new weapon on which Soviet scientists were working, Mr Khrushchev said, was "even more perfect, more terrible" than the most powerful existing weapons—it was, he said, "unbelievable." The marshals, Penkovsky reported to the West, were angry with Khrushchev for his bombastic talk.

The weapon from which Khrushchev hoped so much was a missile powered by a nuclear propellant. Having announced it prematurely at the beginning of 1960, Mr Khrushchev was pressing his scientists—in his usual impetuous manner—to produce the goods. Some of them wanted to make a present of it to Mr Khrushchev for the October Revolution anniversary later that year, and arranged a test firing, which was attended by some of the most important men in the military missile programme.

The countdown went according to plan—but the new missile failed to leave the ground. The observers waited for some 20 minutes, then came out of the shelter. At this point the missile exploded, killing 300 people, among them the Commander-in-Chief of the Soviet missile forces, Marshal Nedelin. The only part

"in the line of duty."

It is not possible in a comparatively brief article like this to do more than scratch the surface of the mine of information contained in the Penkovsky Papers. On the diplomatic side, perhaps the most important service rendered by Penkovsky was to warn the West of the exact nature of Soviet intentions during the Berlin crisis of 1961, so that it was possible to take in good time the measures necessary to compel a Russian climb-down.

In repeated messages, Penkovsky kept telling the political leadership of the West that Khrushchev's bark was worse than his bite, that Russia did not have the military force, especially in intercontinental, ballistic missiles, to back up his threats, and that Khrushchev made use of every opportunity to blackmail the West by the appearance of greater strength.

However, in his messages on the Berlin crisis, Penkovsky made it clear that the Kremlin meant to go ahead with the signing of the peace treaty with East Germany, even if it led to hostilities, and he described the nature of these hostilities as envisaged in Moscow.

The unquiet summer of 1961 progressed towards the German climax, with the suspension of Soviet arms cuts, increased military expenditure, and military movements disguised as training manoeuvres but designed to bring the troops and weapons into Germany by D-day, he reported that the final decision would be made by the Soviet leaders at the time of the party congress in October, after consultation with their allies who would be attending the congress as fraternal delegates. However, while Khrushchev seemed determined, many others were against the Berlin "adventure," and especially Mikoyan, Marshal Varentsov, the Commander-in-Chief of tactical missile forces, who was to be demoted later for his close connections with the spy, told Penkovsky: "We are taking a risk, a big risk."

The plan was to sign the peace treaty with East Germany, and to tell the West that henceforth it must deal with the East Germans on the question of access to West Berlin. East German troops would man the first line of defence, and it would be up to the Western forces to fight their way through. The East German forces, poorly equipped and trained, and with questionable morale, would cave in, whereupon the Western forces would find themselves facing the "second echelon" of well-armed Soviet forces.

Continued



Oleg Penkovsky in his colonel's uniform

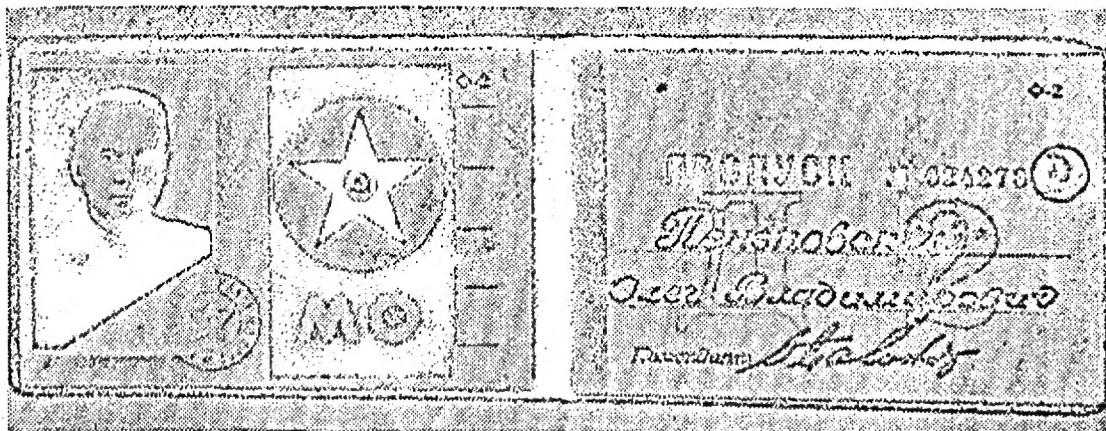
Warning

The publication of the Penkovsky papers would appear to be a direct reply to the Soviet initiative, and a warning that the West is prepared to play the game—only much more devastatingly than the Russians. At least some of those concerned in this aspect of East-West warfare would seem anxious to get their blow in before Lonsdale does.

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times skilful and sometimes crude, for Soviet policies.

For Release 2001/11/22: CIA-RDP80-01193A000400170064-4
circle of British and American intelligence experts could vouch

Soviet press was the report on the untimely death of Marshal Nedelin and several other officers



The Ministry of Defence pass which Penkovsky used to gain access to the classified library. He sent a photograph of it to the West before his arrest.

Soviet plan

The Soviet plan was designed "to win without a fight, but to be ready to fight if it comes to that." The Soviet General Staff had planned a number of moves to feel out Western intentions. One tank brigade was to stand by for an attack. If it was knocked out, another brigade was to be sent in, and then the second echelon, brought to readiness on the borders of the Soviet Union, and in Poland, and Czechoslovakia, was to be brought into action.

Some of the details are much like what was suspected publicly at the time. But, with this precise knowledge of Soviet intentions, the US was able to display to the Soviet Union both by diplomatic means and by the disposition of its forces in Europe, its determination to fight if need be.

The alarms and excursions of that summer may be forgotten now, but it was a close thing. The headlines, even in the "Guardian," spoke of "The Brink of War" over Berlin (quoting Mr. Khrushchev), or proclaimed, over a story from Washington: "Russians made to see German crisis could mean war." Mr. Macmillan who cannot have been reading Penkovsky's reports, at first announced at an impromptu press conference while playing golf at Gleneagles that the Berlin crisis was "got up by the press," but soon he, too, changed his tune. And in October, at the party congress, Mr. Khrushchev himself announced that there was no longer any hurry about the German peace treaty—and suddenly all was sweetness and light again. My guess is that the West was able to stare the Russians down because it knew, from Penkovsky, what was in Mr. Khrushchev's mind.

No doubt this, as many other Penkovsky reports, would have been accepted only after confirmation from other intelligence sources. But his papers leave little doubt that he had access to some of the most detailed and most desirable secrets in the annals of espionage. It can be said with no exaggeration that when they are presented in full the book, which is being rushed through the press by Doubleday in the United States and by Collins in Britain, will make publishing history.

[Copyright reserved]

~~Soviet Patent Agency Aims for Roads~~ Hopes Rise in Copyright Area

~~Authors Seek Pact~~

By HARRY GILROY

The Soviet Union's intention to join the international patent agreement has stirred American publishers and authors to hope that similar favor will eventually be shown for the Universal Copyright Convention.

Americans in public and private capacities have urged Soviet officials and book men to have their country come into the copyright pact, which binds some 50 nations. The Soviet response has been that it would be financially disadvantageous to their country.

The present situation is that American books are translated into Russian without permission, and usually without pay-

Continued on Page 12, Column 7

HOPES ENHANCE FOR COPYRIGHTS

Continued From Page 1

ment of royalties. American publishers are free to treat Soviet books in the same way, but sometimes authorization is obtained through the Soviet international book agency, Mezhdunarodnaya Kniga.

According to Dan Lacy, managing director of the American Book Publishers Council, much more American printed material is translated into Russian than is the reverse case. If the Russians adhered to the copyright agreement, therefore, their payments to the United States would presumably be larger than copyright revenue from Americans.

Robert W. Frase, director of the joint Washington office of the American Book Publishers Council and the American Textbook Publishers Institute, estimates that 500 to 600 American scientific, technical and professional books are translated and published in the Soviet Union each year. He puts the number of Soviet books published in American editions at "a few dozen in a year."

However, American publishers have pointed out to their Soviet counterparts that copyright covers music as well as books, and suggested that the balance of payments would favor the U. S. S. R. in this case. A committee of American publishers consisting of Curtis Benjamin, Kurt Enoch, Bradford Wiley, M. R. Robinson and Storer Lunt, with Mr. Frase as secretary, discussed the copyright issue with the Soviet in Moscow in 1962.

Stevenson Sought Fees

Adlai E. Stevenson, chief delegate to the United Nations, visited the Soviet Union in 1958 in a private capacity, representing America to ask for payments to American authors and dramatists for the production of their works in the U. S. S. R.

The Soviets have paid some American authors who visited Moscow. The payments, however, generally have been in Soviet currency in amounts sufficient to pay the authors' expenses while in the Soviet Union.

American publishers have tried to establish a system of informing authors when their works were being issued without authorization in the Soviet Union. The United States Embassy has been given a fund to pay the publishers two copies of all "pirated" editions. The practice of the publishers is to send a copy of the "pirated" work to the author and to suggest that he write to the

Appeal to Senate Panel

The Senate Foreign Relations Committee, received in its recently completed hearings on East-West trade, an appeal from a committee of American publishers that the question of a copyright agreement be included in any American trade negotiations with the Soviet Union.

The State Department has taken up the copyright question with the Soviet Government at intervals over many years. No new move is expected in Washington, because the current political situation is not propitious in view of the Far East conflict centering on South Vietnam.

Howard Booher, president of McGraw-Hill Book Company, has dealt with Soviet officials about the copyright issue since 1958. He said Friday that he hoped that in a year the U.S.S.R. would do something about these rights.

Mr. Booher said in the cultural community in the Soviet Union is aware that payment of royalties would "improve their image." American intellectual class, many of the books translated into Russian come from American universities, he pointed out.

Constant Pressure

Mr. Booher said American publishers pressed on the Soviets, on each occasion when they get together, that many more Soviet books would be translated and published in the United States if a copyright agreement were in force. Quite a few American publishers, he said, have been "burned" when they invested in translation of a Russian book only to find that the same book was being brought out by another publisher.

The result is that American publishers are afraid to issue translations of Russian books, especially technical or scientific ones, for which expenses are large and a total sale of 4,000 copies is all that can be expected, he said. The American Textbook Publishers Institute has tried to deal with the problem by keeping a listing of proposed translations, Mr. Booher said publishers necessary.

He added that he hoped the Soviets would eventually find that the economic pattern on copyrights could be close to equilibrium, especially if they encouraged writers to produce works that American readers will find interesting.